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FARMERS HOME ADMINISTRATION LOANS ON LEASED LANDS

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HEARING BEFORE A SUBCOMMITTEE OF THE COMMITTEE ON AGRICULTURE AND FORESTRY UNITED STATES SENATE

EIGHTY-NINTH CONGRESS

FIRST SESSION

ON

S. 112

A BILL TO AUTHORIZE THE SECRETARY OF AGRICULTURE
TO MAKE REAL ESTATE MORTGAGE LOANS ON LEASED
LANDS IN HAWAII

MAY 6, 1965

Printed for the use of the
Committee on Agriculture and Forestry



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FARMERS HOME ADMINISTRATION LOANS ON LEASED LANDS

THURSDAY, MAY 6, 1965

U.S. SENATE,
SUBCOMMITTEE ON AGRICULTURAL CREDIT
AND RURAL ELECTRIFICATION OF THE
COMMITTEE ON AGRICULTURE AND FORESTRY,
Washington, D.C.

The subcommittee met, pursuant to notice, at 10:15 a.m., in room 324, Old Senate Office Building, Senator Spessard L. Holland (presiding).

Present: Senator Holland.

Senator HOLLAND. The committee will come to order.

We will have a hearing on S. 112, introduced by Senator Inouye.

I ask, first, that the bill be filed and, second, the report and recommendations of the Department as included in the letter from Mr. Charles S. Murphy, Acting Secretary, to Senator Ellender, chairman of our full committee, dated March 22.

(S. 112 and accompanying report are as follows:)

[S. 112, 89th Cong., 1st sess.]

A BILL To authorize the Secretary of Agriculture to make real estate mortgage loans on leased lands in Hawaii

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized to make real estate mortgage loans on long-term leased lands in the State of Hawaii, including Hawaiian homelands under the Hawaiian Homes Commission Act of 1920 and public lands of the State of Hawaii.

SEC. 2. The provisions of the Bankhead-Jones Farm Tenant Act, to the extent applicable, shall be applicable to this Act.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., March 22, 1965.

Hon. ALLEN J. ELLENDER,
Chairman, Committee on Agriculture and Forestry,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in reply to your request of January 21 for a report on S. 112, a bill to amend the Bankhead-Jones Farm Tenant Act to authorize the Secretary of Agriculture to make real estate mortgage loans on leased lands in Hawaii.

Titles I, II, and IV of the Bankhead-Jones Farm Tenant Act, as amended, were repealed by section 341 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1921 note). Therefore, section 2 of the bill is undoubtedly intended to refer to parallel subtitles of the Consolidated Farmers Home Administration Act of 1961, as amended.

The Department does not recommend favorable action on S. 112. However, we would not object to the making of farm improvement loans to long-term lessees of agricultural lands if such authority were provided to apply in all States

by adding a new section 310 to subtitle A of the Consolidated Farmers Home Administration Act of 1961 as follows:

"SEC. 310. For the purpose of making improvement loans under sections 302 and 303 of this subtitle, the term "owner-operators" shall include long-term lessee operators who have reasonable prospects of accomplishing the purposes for which the loan is made, provided (1) the lease is freely transferable, (2) the lease extends beyond the loan repayment period for such term as the Secretary may require, and (3) adequate security is furnished for the loan, including, (a) encumbrance of the lease for its entire term and of improvements placed on the leasehold by the lessee, and (b), where necessary, encumbrance of other interests in the land and agreement of the owners of such other interests to severance and removal of improvements placed on the leasehold by the lessee, or to pay, at the termination of the lease, the residual value of such improvements."

Such authority, if provided, would permit the Department to make or insure loans for improving leased farms, including farm buildings, land and water development, use, and conservation.

There is doubt that either S. 112 or a new section as suggested above would enable this Department to make farm improvement loans under sections 302 and 303 of the Consolidated Farmers Home Administration Act of 1961 to all long-term lessees in Hawaii. For example, under the Hawaiian Homes Commission Act, 1920 (48 U.S.C. 691), the Hawaiian homelands are subject to numerous restrictions as to qualifications of lessees, encumbrance of leases, uses of the leased property, and other conditions which would need to be changed before loans could be made to lessees of such lands.

Section 4 of the Hawaiian Admission Act (Public Law 86-3), required that the Hawaiian Homes Commission Act of 1920, as amended, be adopted as a provision of the constitution of Hawaii. This was done in article XI of the State constitution. Section 4 provided that such adoption of the Hawaiian Homes Commission Act would be a compact with the United States relating to the management and disposition of the Hawaiian homelands. It further provided that the Hawaiian Homes Commission Act could not generally be amended or repealed without the consent of the United States and particularly that, without such consent, it could not be amended to change the qualifications of lessees. Moreover, section 4 has been interpreted as precluding any changes by the State in the act which would disturb its substantive provisions to the detriment of the intended beneficiaries (H. Rept. 32 to accompany H.R. 4221, 86th Cong., 1st sess., pp. 4 and 19; and S. Rept. 80 to accompany S. 50, 86th Cong., 1st sess., p. 16). One of the substantive provisions of the Hawaiian Homes Commission Act limits the transfer, mortgage, or pledge to, or for the benefit of, native Hawaiians. (See sec. 208(5), 48 U.S.C. 702(5)).

Under the circumstances, if real estate improvement loans are to be made to long-term lessees of Hawaiian homelands under subtitle A of the Consolidated Farmers Home Administration Act of 1961, it would appear necessary not only to obtain prior authorization from the State legislature, but also to obtain the prior consent of Congress.

Long-term agricultural leases are prohibited in many of the other States by State constitutional or statutory limitations. The authorized terms for agricultural leases vary from State to State, from a minimum of 5 years to as much as 20 years. Even in States with such limitations the leasehold interest would provide some security for a farm development loan.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

CHARLES S. MURPHY, *Acting Secretary.*

Senator HOLLAND. The supporting evidence is contained in a statement to me from Senator Inouye, who could not be here this morning, and I ask that that statement be filed in the record.

(The statement is as follows:)

STATEMENT OF HON. DANIEL K. INOUE, A U.S. SENATOR FROM THE STATE OF HAWAII

Mr. Chairman, I would like to present the following statement in support of S. 112. It represents both the views of Gov. John A. Burns, of the State of Hawaii, and myself.

In 1920, the Congress of the United States enacted the Hawaiian Homes Commission Act, and in doing so recognized that a disinherited people of an undeveloped, uncontaminated society would require special aid to be able to survive and compete in the more abundant, more complex society of the Territory of Hawaii, U.S.A. When statehood was acquired by Hawaii, the Hawaiian Homes Commission Act became a pact between the United States and the people of Hawaii.

Under the pact of 1920, the Hawaiians inhabit, but do not own, land. They hold 99-year leases which they may bequeath to their children, except when the children have less than 50-percent Hawaiian blood.

This program to put Hawaiians on the land from which they had been disenfranchised had agriculture as one of its inevitable, major directions.

Yet the Hawaiians, like other American farmers all across our Nation, have found themselves severely handicapped by the difficulty of financing their operations. Unlike many others, they have been unable to participate in farm-loan programs because of the unique arrangement of their tenancy under the act of 1920.

Neither the Territory of Hawaii, nor the State of Hawaii has been able to give them aid that might extricate them from the many debts which they have incurred.

In spite of the many obstacles that confronted them, the Hawaiian agricultural homesteaders have performed creditably. Particularly on Molokai, where the first extensive homesteads were established, the story of the homesteaders who managed with almost no water, with no improvements or modern machinery, and in fact with few tools except their bare hands, is a story of courage and perseverance and hope.

Today, with a vital irrigation project less than a year from completion on Molokai, the hope of the hope of the Hawaiian farmers on that island is higher than ever, but the means of utilizing their future advantages is still quite limited.

Yet on Molokai and elsewhere in our State, 52 pastoral and about 200 farm homesteaders urgently need financial assistance if they are to become truly self-sufficient. That assistance can be rendered if S. 112 is enacted making homesteaders who hold 99-year leases eligible for mortgage-loans by the Secretary of Agriculture.

At present, S. 112 offers the strongest promise existing of helping Hawaiian agricultural homesteaders to remove themselves from under the shadow of poverty that has darkened their existences for years.

Additionally, the State of Hawaii has a pattern of leased land use rather than purchase because of the large estate holdings. Thus farmers are leaseholders—not sharecroppers or tenant farmers, but lessees. These also would be greatly assisted by enactment of S. 112.

Senator HOLLAND. Mr. Bertsch, do you wish to be heard on this bill affecting Hawaiian lands?

STATEMENT OF HOWARD BERTSCH, ADMINISTRATOR, FARMERS HOME ADMINISTRATION, AND HOWARD V. CAMPBELL, DIRECTOR, FARMERS HOME DIVISION, OFFICE OF THE GENERAL COUNSEL, U.S. DEPARTMENT OF AGRICULTURE

Mr. BERTSCH. At the pleasure of the chairman, we would be glad to comment.

Senator HOLLAND. I note that in his letter of March 22 Under Secretary Murphy, as Acting Secretary, suggests that the matter be handled by adding a new section 310 to subtitle A of the Consolidated Farmers Home Administration Act of 1961, which would apply generally rather than as in the case of the offered bill simply to Hawaii.

Do you have any comment to make either on the bill or on the suggestions of Secretary Murphy?

Mr. BERTSCH. We have no objection to making farm improvement loans on longtime leasehold. We do believe that it should be applicable to all States rather than limited simply to Hawaii, hence the recommended language as a substitute for Senator Inouye's bill.

It is doubtful, however, in our minds as to whether even the suggested language would achieve the purposes which S. 112 is aimed at achieving. Since this involves a legal matter, I would like to let Mr. Campbell, of the General Counsel's Office, explain why we believe that even the suggested language might not achieve the Senator's objective in S. 112.

Senator HOLLAND. Do you think the objective of Senator Inouye in S. 112 is able to be achieved by proper legislation?

Mr. BERTSCH. May I refer that question to Mr. Campbell, Mr. Chairman?

Senator HOLLAND. Mr. Campbell?

Mr. CAMPBELL. There are two principal problems, Mr. Chairman. As you know, the historic development of real estate holdings in Hawaii has taken the pattern of consolidation of some large tracts in private ownership under private trusts which contain restrictions against sale.

Senator HOLLAND. Does not that condition apply to a major part of the agricultural lands in the State of Hawaii?

Mr. CAMPBELL. I am informed that it does. I do not have the statistics.

Senator HOLLAND. Obviously, then, to have the FHA able to render aid under several of its helpful programs, that aid must be made available for holders of longtime leases or else the producers in Hawaii who are in that situation will not be able to get that aid; is that right?

Mr. CAMPBELL. That is true, as to the general holdings of lands in Hawaii.

Senator HOLLAND. Please state for the record just what suggestions you think are legally available to meet this situation, if you think there are such steps available which will meet it.

Mr. CAMPBELL. The Consolidated Farmers Home Administration Act could be amended as proposed in S. 112 to authorize loans on long-term leasehold interests. The Farmers Home could then take a mortgage on that leasehold interest. A similar authorization is now found in title V of the Housing Act, 1949, as amended. We are making some Farmers Home Administration housing loans on leasehold interests.

We have negotiated satisfactory agreements with trustees of private lands which are not to be sold, and have worked out an agreement satisfactory to the trustee and to the tenant for the pledging of his leasehold interest permitting the mortgaging of that interest in such a way that the Farmers Home could realize thereon if liquidation became necessary.

Senator HOLLAND. That has to do with housing?

Mr. CAMPBELL. In the housing field at the present time.

Senator HOLLAND. You are not precluded, are you, from making crop production loans or other short-term loans under existing law to that class of farmers?

Mr. CAMPBELL. Not to farmers who are on private land which is leased to the operator.

Senator HOLLAND. Which is the class of lands we are talking about in Hawaii?

Mr. CAMPBELL. At present, yes.

Senator HOLLAND. So what we are concerned with in the bill before us is whether long-term real estate loans, other than housing loans, can be properly made available to Hawaiian farmers on long-term leased lands.

Mr. CAMPBELL. I would still want to distinguish at this point between the privately owned leased land and the State-owned land, which I will discuss in a minute.

Senator HOLLAND. Now as to privately owned land, what term do you have in mind when you speak of long-term leases?

Mr. CAMPBELL. Our present procedure under the Housing Act provides for a lease with leadtime beyond the termination of the loan of sufficient amount to permit negotiated contract with a subsequent lessee, should it be necessary to liquidate the loan, or if the loan is not paid promptly at maturity.

Senator HOLLAND. You don't have any fixed minimum period of leasehold?

Mr. CAMPBELL. That is true, because the length of maturity of the farm housing loan varies, depending on the type of improvement to be put on the premises. It may be a 10-, 20-, or a 33-year loan. Consequently, on a 10-year loan we could be well satisfied with a 15-year lease, for example, that would give us plenty of turnaround.

Senator HOLLAND. In other words, the time covered by the particular leasehold would have to be longer, sufficiently longer than the time covered by the terms of your loan to give you what you felt was protection, security, before you would approve such a loan?

Mr. CAMPBELL. That is correct.

Senator HOLLAND. And that time obviously will differ for different terms loans?

Mr. CAMPBELL. Correct.

Senator HOLLAND. Now with reference to the proposal in this bill which I understand applies to all long-term real estate loans other than housing loans, what is your suggestion?

Mr. CAMPBELL. We think it would be possible to expect to have leasehold interests in private land to run for 50 years, which would permit the Farmers Home Administration to make its maximum farm development loan secured by real estate for a 40-year term, if the borrower needed that length of repayment period.

Senator HOLLAND. Are you speaking at this time of farm development loans?

Mr. CAMPBELL. Yes; farm development loans, or building improvement loans under the Consolidated Act.

Senator HOLLAND. Where this leasehold limitation applies to the land in such a way that fee simple title cannot be given, it is obviously impossible to have the FHA help in the acquisition of the lands by the farmers, is it not?

Mr. CAMPBELL. That is right.

Senator HOLLAND. Is there any other class besides the long-term development loans to which this particular legislation could properly apply?

Mr. CAMPBELL. Another class of land in Hawaii is land which belonged to the territory or land which was transferred to the State upon admission of the territory as a State. Those lands are being developed by the State of Hawaii for their best appropriate use. Several projects have been undertaken in which the individual farm

units are carved out of larger tracts and are made available to farmers who wish to buy them. They are usually made available under purchase contracts.

In connection with those purchases by farmers who might be eligible for Farmers Home assistance, there will be a need for development loans, land development and buildings, in conjunction with their purchase from the State of Hawaii.

Senator HOLLAND. You are referring now, I presume to those lands that are covered by these words of Senator Inouye's bill "including Hawaiian homelands under the Hawaiian Homes Commission Act of 1920, and public lands of the State of Hawaii"?

Mr. CAMPBELL. Only the latter group fall in the ones I am discussing at the present time—public lands of the State of Hawaii. The Hawaii Homes Commission land presents a further legal problem.

Senator HOLLAND. The public lands of the State of Hawaii will be covered by this legislation in what manner?

Mr. CAMPBELL. If the State is selling off farm units to persons who would be eligible for Farmers Home assistance, that is, who cannot get credit elsewhere, and who personally are going to operate the farms, we could make a loan after the State takes its contract of sale to permit the purchaser to construct the farm buildings and to develop his land in such a way as to get maximum production out of it.

Senator HOLLAND. You mean that can be done under this bill, or that can be done already under existing law?

Mr. CAMPBELL. That can be done under existing law if there is a sales contract. However, some of the projects which the State is developing are not developed for sale, but do have a lease provision, at least they start out with the applicant on a lease basis.

Senator HOLLAND. Are the long-term leases by the State comparable to the leases given by the trusts that hold private lands that are not subject to sale in fee simple?

Mr. CAMPBELL. I think they are, Senator.

Senator HOLLAND. Is there any reason, then, for differentiating between them and the leaseholds created when the land under the private trusts is leased?

Mr. CAMPBELL. I do not see any difference in legislative technique.

The Hawaii Homes Commission land is land over which the Queen of the Hawaiian Islands had control of at the time the Hawaiian Islands assumed territorial status. Part of the arrangements for the surrender of sovereignty was that those lands should be held and recognized by the United States as being available for homes for native-born Hawaiians. During the territorial status, a territorial law, the Hawaiian Homes Commission Act, was enacted and approved by the Congress. Under that act, the commission was charged with making these particular lands available to native-born Hawaiians. Under that act, and under the regulations of the commission, there is a restriction against any person other than a native-born Hawaiian occupying or leasing that land from the territory, now the State, and against encumbering the land to any extent without the consent of the commission, the law provided that no voluntary or involuntary transfer of that land shall be made to anyone but a native-born Hawaiian. We have construed that as effectively blocking the taking of a mortgage which could be foreclosed upon default of the loan.

It is my opinion—

Senator HOLLAND. In other words, you feel that the Farmers Home Administration could not transmit title under those limitations?

Mr. CAMPBELL. Could transmit title only to a native-born Hawaiian, which would limit the market for the resale of title to such an extent that it would not constitute comparable security to private land or even private leasehold interests.

The attorney general of the territorial government at one time said this Hawaiian Homes Commission Act even prevented giving a crop lien on Hawaiian Homes Commission land because that was an encumbrance on the title of the land which would result in possible transfer of an interest in the land contrary to law.

The admission act, the Organic Act of Hawaii, recites that nothing in the admissions act shall be construed as modifying the Hawaiian Homes Commission Act, and that the Legislature of Hawaii may not amend that act without the consent of the Congress of the United States.

The bill before us, S. 112, appears to be an attempted amendment of the Hawaiian Homes Commission Act solely by the Congress of the United States.

I am not sure at this moment——

Senator HOLLAND. Why would it be an amendment of it?

Mr. CAMPBELL. This is an act of Congress which by implication at least, amends a provision of the Hawaiian Homes Commission Act to the extent that it permits the Secretary of Agriculture to take a mortgage interest on Hawaiian homes land contrary to the present provisions of the Hawaiian Homes Commission Act.

Senator HOLLAND. Does the Hawaiian Homes Commission Act prevent such a loan, or does it prevent foreclosure on such a loan from operating to destroy the limitation on conveyances?

Mr. CAMPBELL. The wording of the act is that the land shall not be encumbered or transferred. I think that means that it shall not be mortgaged.

Senator HOLLAND. Do you have any construction of this act from the standpoint of the State of Hawaii since the construction that you mentioned by the attorney general for the territory?

Mr. CAMPBELL. To my knowledge, there has been no formal opinion of the attorney general of Hawaii, nor any case law developed since the admission of the territory as a State.

Senator HOLLAND. Couldn't appropriate words be added here to make it clear that this part of the act would not apply unless and until the State of Hawaii effectively modified the Hawaiian Homes Commission Act in such a way as to make this particular type of encumbrance available?

Mr. CAMPBELL. I believe the bill could be so amended. Actually, if the Hawaiian Homes Commission Act could be appropriately amended, we would not need such a provision in this bill, because the Consolidated Farmers Home Administration Act would permit us to make loans on those lands at the present time.

Senator HOLLAND. It would if the contract was a contract of sale. Would it if the contract was a contract of leasehold?

Mr. CAMPBELL. You are correct, if the contract on Hawaiian homes were leasehold only, we would need the general amendment that this bill would provide on leasehold interests.

Senator HOLLAND. It is my feeling that this bill should be enacted with such modifications as may be necessary so as to give those who want to develop small holdings in Hawaii a chance to have available beneficent lending policies of the Farmers Home Administration. I hope that you will offer amendments designed to accomplish that end. Personally, I do not think it is necessary to make this bill apply to the whole group of States, because the problem which it is to solve is a problem that does not exist in the whole Nation, but only, as I understand it, in Hawaii. And I hope that you can offer amendments which make this bill clearly appropriate and clearly useful.

With respect to the lands that are controlled by the Hawaiian Homes Commission Act, I think that such words should be added as will make it clear that the act would not be applicable until the State of Hawaii takes appropriate action to enable those lands to be encumbered to the extent necessary to provide adequate security for the Farmers Home Administration loans.

Certainly such wording can be worked out, can it not?

Mr. CAMPBELL. I should think so.

Senator HOLLAND. I ask you to work it out and submit it for this hearing record so that the committee will have it before it.

There is no disposition on the part of either the Farmers Home Administration or the Department of Agriculture to withhold this type of help from the farmers in Hawaii if it can legally be made available, is there?

Mr. BERTSCH. There is none.

Senator HOLLAND. So the whole question now is a legal question, how to make it legally available to these three classes of lands:

First, those lands that are under these trusts. And I understand that applies to a very great deal of the agricultural-producing lands in Hawaii.

Second, those lands that are public lands of the State of Hawaii.

Third, those lands that are covered by the Hawaiian Homes Commission Act of 1920 and any amendments thereto.

If you will propose such amendments, this committee will appreciate them.

Is there further evidence?

Are there other witnesses that wish to be heard on this bill?

For the record, I ask that the attorney for this committee, Mr. Stanton, work with the attorney for the Department of Agriculture, Mr. Campbell, in trying to suggest an appropriate amendment for the consideration of the subcommittee and the full committee.

Thank you very much, gentlemen.

(Whereupon, at 10:45 a.m., the subcommittee proceeded to other business.)



LEGISLATIVE HISTORY

Public Law 89-586
S. 112

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INDEX AND SUMMARY OF S. 112

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June	8, 1966	Senate committee voted to report S. 112.
June	14, 1966	Senate committee reported S. 112 with amendments. S. Report 1274. Print of bill and report.
June	15, 1966	Senate passed S. 112 with amendments.
June	16, 1966	S. 112 was referred to House Agriculture Committee. Print of bill as referred.
June	27, 1966	Rep. Matsunaga introduced and discussed H. R. 15951 which was referred to House Agriculture Committee. Print of bill and remarks of Rep. Matsunaga.
Aug.	10, 1966	House subcommittee approved H. R. 15951.
Aug.	16, 1966	House committee reported H. R. 15951. H. Report 1856. Print of bill and report.
Aug.	30, 1966	House passed S. 112 with amendment (substituting language of H. R. 15951). H. R. 15951 tabled due to passage of S. 112.
Sept.	7, 1966	Senate concurred in House amendment to S. 112.
Sept.	19, 1966	Approved: Public Law 89-586.

Hearing: S. Agriculture and Forestry Committee
on S. 112

DIGEST OF PUBLIC LAW 89-586

HAWAII FARM REAL ESTATE LOANS. Amends the Consolidated Farmers Home Administration Act of 1961 to provide that, until June 30, 1968, home improvement loans may be made to lessee-operators of farmland in Hawaii where the land cannot be acquired by the applicant, adequate security is provided for the loans, and there is a reasonable probability of accomplishing the objectives and repayment of the loan.

S. 112

IN THE SENATE OF THE UNITED STATES

JANUARY 6, 1965

Mr. INOUE introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

A BILL

To authorize the Secretary of Agriculture to make real estate mortgage loans on leased lands in Hawaii.

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6 waiian Homes Commission Act of 1920 and public lands of
7 the State of Hawaii.

8 SEC. 2. The provisions of the Bankhead-Jones Farm
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10 this Act.

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By Mr. INOUYE

JANUARY 6, 1965

Read twice and referred to the Committee on
Agriculture and Forestry

DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

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Issued June 9, 1966
For actions of June 8, 1966
89th-2nd; No. 94

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HIGHLIGHTS: Senate debated bill to authorize alternate crops for disaster areas.
Senate debated fair packaging-labeling bill. Senate committee reported bill for
water-resources survey.

SENATE

1. DISASTER RELIEF. Began debate on the conference report on H. R. 15151, to permit the planting of alternate crops on acreage which is unplanted because of natural disaster. pp. 12086-93, 12094-100
2. PACKAGING; LABELING. Continued debate on S. 985, the fair packaging and labeling bill. pp. 12022-31, 12061-80, 12093-4, 12100

3. WATER RESOURCES. The Interior and Insular Affairs Committee reported with amendments S. 3107, to provide for a comprehensive review of national water resources problems and programs (S. Rept. 1212). p. 12018
4. FOOD SHORTAGE. Sen. Mondale expressed concern about the world food shortage and submitted an amendment which he intends to propose to S. 2859, the foreign aid bill, to provide for assistance in food-production development in foreign countries. pp. 12019-22
5. RESEARCH ANIMALS. Sen. Mondale commended various interests in Minn. for getting together on a recommendation for legislation relating to handling and care of research animals and inserted articles on this matter. pp. 12047-8
6. SCHOOL MILK. Sen. Proxmire spoke in favor of his school milk bill, S. 2921, and inserted favorable testimony of Rep. Culver. p. 12042
7. HAWAII LOANS. The Agriculture and Forestry Committee voted to report (but did not actually report) with amendment S. 112, authorizing this Department to make real estate mortgage loans on leased lands in Hawaii. ~~p. D503~~
8. PARITY. The Agriculture and Forestry Committee voted to report (but did not actually report) with amendments S. Con. Res. 88, to make it explicit that the parity price and income goal for agriculture shall be binding on all Government agencies. p. D503
9. WHEAT CERTIFICATES. The Agriculture and Forestry Committee indefinitely postponed H. R. 15089, to permit the Secretary of Agriculture to estimate the July 1966 parity price for wheat in order to expedite issuance of wheat marketing certificates to complying farmers. p. D503
10. SCHOOL MILK; CHILD NUTRITION. The Agriculture and Forestry Committee considered S. 2921, the Proxmire school milk bill, and S. 3467, the child nutrition bill, and announced that hearings will be held on the child nutrition bill. p. D503
11. COTTON. The Agriculture and Forestry Committee announced that it will consider H. R. 12322, the cotton promotion bill, today. p. D503
12. BANKING. The Banking and Currency Committee reported without amendment S. 3368, to extend for 2 years the authority of Federal Reserve banks to purchase U. S. obligations directly from the Treasury (S. Rept. 1215). p. 12018
13. TARIFF. The Finance Committee reported without amendment H. R. 12676, to provide that certain forms of copper be admitted free of duty (S. Rept. 1220). p. 12018
14. INFORMATION. Sen. Miller was added as a cosponsor of S. Res. 270, authorizing an investigation of premature disclosure of information relating to increased production of soybeans and other agricultural commodities. p. 12031
15. PUBLIC LANDS. Sen. Mundt inserted a speech by Milton A. Pearl, Director of the Public Land Law Review Commission, on the history of public lands and plans for the Commission. pp. 12048-9

FARM REAL ESTATE LOANS ON LEASED LANDS IN HAWAII

JUNE 14, 1966.—Ordered to be printed

Filed under authority of the order of the Senate of June 13, 1966

Mr. TALMADGE, from the Committee on Agriculture and Forestry, submitted the following

R E P O R T

[To accompany S. 112]

The Committee on Agriculture and Forestry, to which was referred the bill (S. 112) having considered the same, reports favorably thereon with amendments and recommends that the bill as amended do pass.

EXPLANATION OF BILL

This bill, with the committee amendment, would authorize the Secretary of Agriculture to make farm improvement loans under subtitle A of the Consolidated Farmers Home Administration Act of 1961 to lessee-operators of farmland in Hawaii where (1) the land cannot be acquired by the applicant; (2) adequate security is provided for the loan; and (3) there is a reasonable probability of accomplishing the objectives and repayment of the loan.

At present, real estate loans under subtitle A of that act (other than loans for land and water development, use, and conservation) are restricted to farmers who are or will become "owner-operators" of not larger than family farms. The bill would permit such loans to be made to "lessee-operators" in Hawaii in the circumstances outlined above. Operating and emergency loans, as well as land and water conservation and development loans, under the act are not now limited to owner-operators and are therefore now available to lessee-operators.

HEARINGS

Hearings were conducted by a subcommittee of the committee on May 6, 1965. The Department of Agriculture advised that it had no objection to general legislation authorizing loans to lessee-operators, but that it did not recommend legislation applicable only to Hawaii. The hearings indicated, however, that there was a real need for this

authority in Hawaii, which did not exist elsewhere, and the committee therefore restricted it to Hawaii.

NEED FOR THE BILL

Hawaii has land problems unlike those of other States, since much of its land is subject to restraints on alienation and consequently is operated under long-term lease.

A little over a century ago all of the land in Hawaii was owned by the King. Under King Kamehameha III, who became King in 1833, the land was divided into three parts, with one-third being vested in the King, one-third in the chiefs, and one-third in the tenants. Later the King divided his share, making two-thirds public domain and one-third his private estate; and the chiefs divided their land. Certain of the public lands were designated as Hawaiian homelands and subjected to statutory restraints on alienation by the Hawaiian Homes Commission Act, 1920.

A large part of the remaining lands have been controlled by a few landlords for many years, and their sale would result in such high taxes on the proceeds as to make sale impracticable. Some of the lands are held in charitable trusts which prevent their alienation.

As a consequence of these restraints on alienation most land transactions in Hawaii involve the sale of leases. Hawaiian farmers in order to carry on their operations must, like other farmers, have adequate financing, and should have available to them the financing provided for farm improvement by Farmers Home Administration loans to the extent that such loans can safely be made on the security such farmers can provide. The bill would permit such loans. They would be authorized only where adequate security can be provided, where they can be repaid, and where the purpose of the loan can be accomplished.

As indicated in the attached letter of the Department of Agriculture, some amendment of the Hawaiian Homes Commission Act, 1920, may be necessary before adequate security can be provided for loans on Hawaiian homelands. Consequently, the committee amendment indicates that further action may be required before loans can be made on such lands.

COMMITTEE AMENDMENT

The committee amendment to the text of the bill does not change the purpose of the bill. It makes it clear that the loans would be made under subtitle A of the Consolidated Farmers Home Administration Act of 1961; and limits such loans to cases where the land cannot be acquired by the applicant, there is adequate security, and the loan will accomplish its purpose and be repaid. It also makes it clear that further action may be required before loans can be made on Hawaiian homelands. The amendment has been approved by the Governor and both Senators of Hawaii.

DEPARTMENTAL VIEWS

DEPARTMENT OF AGRICULTURE,
Washington, D.C., March 22, 1965.

HON. ALLEN J. ELLENDER,
Chairman, Committee on Agriculture and Forestry,
U.S. Senate,
Washington, D.C.

DEAR MR. CHAIRMAN: This is in reply to your request of January 21 for a report on S. 112, a bill to amend the Bankhead-Jones Farm Tenant Act to authorize the Secretary of Agriculture to make real estate mortgage loans on leased lands in Hawaii.

Titles I, II, and IV of the Bankhead-Jones Farm Tenant Act, as amended, were repealed by section 341 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1921 note). Therefore, section 2 of the bill is undoubtedly intended to refer to parallel subtitles of the Consolidated Farmers Home Administration Act of 1961, as amended.

The Department does not recommend favorable action on S. 112. However, we would not object to the making of farm improvement loans to long-term lessees of agricultural lands if such authority were provided to apply in all States by adding a new section 310 to subtitle A of the Consolidated Farmers Home Administration Act of 1961 as follows:

"SEC. 310. For the purpose of making improvement loans under sections 302 and 303 of this subtitle, the term 'owner-operator' shall include long-term lessee operators who have reasonable prospects of accomplishing the purposes for which the loan is made, provided (1) the lease is freely transferable; (2) the lease extends beyond the loan repayment period for such term as the Secretary may require; and (3) adequate security is furnished for the loan, including (a) encumbrance of the lease for its entire term and of improvements placed on the leasehold by the lessee, and (b) where necessary, encumbrance of other interests in the land and agreement of the owners of such other interests to severance and removal of improvements placed on the leasehold by the lessee, or to pay, at the termination of the lease, the residual value of such improvements.

Such authority, if provided, would permit the Department to make or insure loans for improving leased farms, including farm buildings, land and water development, use, and conservation.

There is doubt that either S. 112 or a new section as suggested above would enable this Department to make farm improvement loans under sections 302 and 303 of the Consolidated Farmers Home Administration Act of 1961 to all long-term lessees in Hawaii. For example, under the Hawaiian Homes Commission Act, 1920 (48 U.S.C. 691), the Hawaiian homelands are subject to numerous restrictions as to qualifications of lessees, encumbrance of leases, uses of the leased property, and other conditions which would need to be changed before loans could be made to lessees of such lands.

Section 4 of the Hawaiian Admission Act (Public Law 86-3), required that the Hawaiian Homes Commission Act of 1920, as amended, be adopted as a provision of the constitution of Hawaii. This was done in article XI of the State constitution. Section 4 provided that such

adoption of the Hawaiian Homes Commission Act would be a compact with the United States relating to the management and disposition of the Hawaiian homelands. It further provided that the Hawaiian Homes Commission Act could not generally be amended or repealed without the consent of the United States and particularly that, without such consent, it could not be amended to change the qualifications of lessees. Moreover, section 4 has been interpreted as precluding any changes by the State in the act which would disturb its substantive provisions to the detriment of the intended beneficiaries (H. Rept. No. 32 to accompany H.R. 4221, 86th Cong., 1st sess., pp. 4 and 19; and the S. Rept. No. 80 to accompany S. 50, 86th Cong., 1st sess., p. 16). One of the substantive provisions of the Hawaiian Homes Commission Act limits the transfer, mortgage, or pledge to, or for the benefit of, native Hawaiians. (See section 208(5), 48 U.S.C. 702 (5).)

Under the circumstances, if real estate improvement loans are to be made to long-term lessees of Hawaiian homelands under subtitle A of the Consolidated Farmers Home Administration Act of 1961, it would appear necessary not only to obtain prior authorization from the State legislature, but also to obtain the prior consent of Congress.

Long-term agricultural leases are prohibited in many of the other States by State constitutional or statutory limitations. The authorized terms for agricultural leases vary from State to State, from a minimum of 5 years to as much as 20 years. Even in States with such limitations the leasehold interest would provide some security for a farm development loan.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

CHARLES S. MURPHY,
Acting Secretary.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follow (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in *italic*, existing law in which no change is proposed is shown in roman):

CONSOLIDATED FARMERS HOME ADMINISTRATION ACT OF 1961

SUBTITLE A—REAL ESTATE LOANS

SEC. 302. The Secretary is authorized to make and insure loans under this subtitle to farmers and ranchers in the United States and in Puerto Rico and the Virgin Islands who (1) are citizens of the United States, (2) have a farm background and either training or farming experience which the Secretary determines is sufficient to assure reasonable prospects of success in the proposed farming operations, (3) are or will become owner-operators of not larger than family farms, and (4) are unable to obtain sufficient credit elsewhere to finance their actual needs at reasonable rates and terms, taking into consideration prevailing private and cooperative rates and terms in

the community in or near which the applicant resides for loans for similar purposes and periods of time.

SEC. 303. Loans may be made or insured under this subtitle for acquiring, enlarging, or improving farms, including farm buildings, land and water development, use, and conservation, including recreational uses and facilities, refinancing existing indebtedness, and for loan closing costs. In making or insuring loans for farm purchase, the Secretary shall give preference to persons who are married or have dependent families and, wherever practicable, to persons who are able to make initial downpayments, or who are owners of livestock and farm implements necessary successfully to carry on farming operations.

SEC. 304. Loans may also be made or insured under this subtitle to any farmowners or tenants without regard to the requirements of section 302 (1), (2), and (3) for the purposes only of land and water development, use, and conservation.

* * * * *

SUBTITLE B—OPERATING LOANS

SEC. 311. The Secretary is authorized to make loans under this subtitle to farmers and ranchers in the United States and in Puerto Rico and the Virgin Islands who (1) are citizens of the United States, (2) have a farm background and training or farming experience which the Secretary determines is sufficient to assure reasonable prospects of success in the proposed farming operation, (3) are or will become operators of not larger than family farms, and (4) are unable to obtain sufficient credit elsewhere to finance their actual needs at reasonable rates and terms, taking into consideration prevailing private and cooperative rates and terms in the community in or near which the applicant resides for loans for similar purposes and periods of time.

* * * * *

SUBTITLE C—EMERGENCY LOANS

SEC. 321. (a) The Secretary may designate any area in the United States and in Puerto Rico and the Virgin Islands as an emergency area if he finds (1) that there exists in such area a general need for agricultural credit which cannot be met for temporary periods of time by private, cooperative, or other responsible sources (including loans the Secretary is authorized to make under subtitle B or to make or insure under subtitle A of this title or any other Act of Congress), at reasonable rates and terms for loans for similar purposes and periods of time; and (2) that the need for such credit in such area is the result of a natural disaster.

(b) The Secretary is authorized to make loans in any such area (1) to established farmers, ranchers, or oyster planters who are citizens of the United States and (2) to private domestic corporations or partnerships engaged primarily in farming, ranching, or oyster planting provided they have experience and resources necessary to assure a reasonable prospect for successful operation with the assistance of such loan, and are unable to obtain sufficient credit elsewhere to finance their actual needs at reasonable rates and terms, taking into

consideration prevailing private and cooperative rates and terms in the community in or near which the applicant resides for loans for similar purposes and periods of time.

* * * * *

SUBTITLE D—ADMINISTRATIVE PROVISIONS

* * * * *

SEC. 343. As used in this title (1) the term "farmers" shall be deemed to include persons who are engaged in, or who, with assistance afforded under this title, intend to engage in, fish farming, [and] (2) the term "farming" shall be deemed to include fish farming, and (3) the term "owner-operator" shall in the State of Hawaii include the lessee-operator of real property in any case in which the Secretary determines that the land cannot be acquired by the applicant, adequate security is provided for the loan, and there is a reasonable probability of accomplishing the objectives and repayment of the loan: Provided, That item (3) shall be applicable to lessee-operators of Hawaiian Homes Commission lands only when and to the extent that it is possible for such lessee-operators to meet the conditions therein set out.

○

Calendar No. 1240

89TH CONGRESS
2D SESSION

S. 112

[Report No. 1274]

IN THE SENATE OF THE UNITED STATES

JANUARY 6, 1965

Mr. INOUE (for himself and Mr. FONG) introduced the following bill; which
was read twice and referred to the Committee on Agriculture and Forestry

JUNE 14, 1966

Reported, under authority of the order of the Senate of June 13, 1966, by
Mr. TALMADGE, with amendments

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To authorize the Secretary of Agriculture to make real estate
mortgage loans on leased lands in Hawaii.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Secretary of Agriculture is authorized to make real
4 estate mortgage loans on long-term leased lands in the State
5 of Hawaii, including Hawaiian homelands under the Ha-
6 waiian Homes Commission Act of 1920 and public lands of
7 the State of Hawaii.

8 SEC. 2. The provisions of the Bankhead-Jones Farm
9 Tenant Act, to the extent applicable, shall be applicable to
10 this Act.

1 *That section 343 of the Consolidated Farmers Home Admin-*
2 *istration Act of 1961, as amended (7 U.S.C. 1991), is*
3 *amended by striking the word "and" before the figure "(2)"*
4 *in said section and by striking the period at the end thereof*
5 *and inserting a comma and the following: "and (3) the*
6 *term 'owner-operator' shall in the State of Hawaii include*
7 *the lessee-operator of real property in any case in which the*
8 *Secretary determines that the land cannot be acquired by the*
9 *applicant, adequate security is provided for the loan, and*
10 *there is a reasonable probability of accomplishing the ob-*
11 *jectives and repayment of the loan: Provided, That item (3)*
12 *shall be applicable to lessee-operators of Hawaiian Homes*
13 *Commission lands only when and to the extent that it is pos-*
14 *sible for such lessee-operators to meet the conditions therein*
15 *set out."*

Amend the title so as to read: "A bill to amend the Consolidated Farmers Home Administration Act of 1961 to authorize loans by the Secretary of Agriculture on leasehold interests in Hawaii, and for other purposes."

A BILL

To authorize the Secretary of Agriculture to
make real estate mortgage loans on leased
lands in Hawaii.

By Mr. INOUYE and Mr. FONG

JANUARY 6, 1965

Read twice and referred to the Committee on
Agriculture and Forestry

JUNE 14, 1966

Reported with amendments

DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE
WASHINGTON, D. C. 20250
OFFICIAL BUSINESS

POSTAGE AND FEES PAID
U. S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(FOR INFORMATION ONLY;
NOT TO BE QUOTED OR CITED)

Issued June 16, 1966
For actions of June 15, 1966
89th-2nd; No. 98

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HIGHLIGHTS: Senate passed cotton research and promotion bill. Senate passed bill to extend time to file tobacco allotment leases. Senate committee reported dog-cat handling bill.

HOUSE

- 1. APPROPRIATIONS.** Both Houses agreed to the conference report on H. R. 14266, the Treasury, Post Office, and Executive Office appropriation bill. The bill will now be sent to the President. pp. 12609-10, 12666-68
- 2. NUTRITION CONFERENCE.** Agreed to without amendment H. Res. 884, authorizing the Agriculture Committee to send three members to the Conference of the Americas on Malnutrition in Panama, June 19 through 25, 1966. pp. 12670-71

3. PERSONNEL. Rep. Gross criticized alleged pressures on Federal employees in the current bond drive. p. 12665
Rep. Pepper inserted an article commending the work of the Equal Employment Opportunity Commission in dealing with complaints of race discrimination in jobs related to the Federal Government. pp. 12718-19
4. PORK PURCHASES. Rep. Gross commended and inserted an article claiming "secret price moves" by Secretary Freeman in military pork purchases. p. 12693
5. TARIFF. Several representatives spoke opposing any reduction in existing tariffs on cotton textiles. pp. 12701-05
6. WATER RESOURCES. The Committee on Interior and Insular Affairs voted to report (but did not actually report) H. R. 13419, with amendments, to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource development proposals. p. D535
7. FOREIGN AID. Rep. Curtis commended and inserted an article on Dominican Republic relations and foreign aid. pp. 12708-10
8. OPINION POLLS. Reps. Minshall, Ashbrook, and Monagan announced the results of opinion polls from their districts which include items of interest to this Department. pp. 12710-11, 12712, 12719-20
9. DEFENSE PRODUCTION. Rep. Rhodes inserted the Republican Policy Committee statement opposing the standby consumer credit controls provision in the proposed Defense Production Act extension bill. pp. 12705-6

SENATE

10. TOBACCO. Passed without amendment H. R. 15124, to provide that any lease or transfer of a tobacco allotment shall be effective, notwithstanding failure to file a copy with the county committee prior to the closing date, if compliance was agreed to prior to the closing date and the terms of the lease are filed with the county office not later than July 31 of any year (p. 12526). The bill was reported by the Agriculture and Forestry Committee, without amendment, on June 13, during adjournment (S. Rept. 1271) (p. 12525). This bill will now be sent to the President.
11. COTTON. By a vote of 49-20, passed as reported H. R. 12322, the proposed Cotton Research and Promotion Act (pp. 12593-608). The bill was reported by the Agriculture and Forestry Committee, with amendment, on June 13 during adjournment (S. Rept. 1272) (p. 12525).
12. HAWAII LOANS. Passed with an amendments S. 112, to authorize the Secretary of Agriculture to make real estate mortgage loans on leased lands in Hawaii (p. 12527). The Agriculture and Forestry Committee had reported this bill with amendments on June 14, during adjournment (S. Rept. 1274). The bill as amended "would authorize the Secretary of Agriculture to make farm improvement loans under subtitle A of the Consolidated Farmers Home Administration Act of 1961 to lessee-operators of farm land in Hawaii where (1) the land cannot be acquired by the applicant; (2) adequate security is provided for the loan; and (3) there is a reasonable probability of accomplishing the objectives and repayment of the loan."

services, supplies, equipment, and expenses of travel and subsistence."

Sec. 2. Section 3 of the Act of March 25, 1948 (62 Stat. 85; 30 U.S.C. 403), relating to the submission of reports to the Congress, is hereby repealed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1273), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF BILL

Enactment of S. 526 would eliminate limitations on the authorization for appropriations for maintenance and operation of three Bureau of Mines experimental stations that are inconsistent with authorization for other Bureau stations and which give rise to possible ambiguity. The three stations are the Rare and Precious Metals Laboratory at Reno, Nev.; the lignite research station at Grand Forks, N. Dak.; and the anthracite coal research facility at Schuylkill Haven, Pa.

The limitations are included in three separate acts of Congress passed during the period 1942 to 1950. They were intended to apply only to appropriations for plant maintenance and operation, as distinct from research and experimental programs, but the language of the provisions could give rise to interpretation that the limitation was intended to apply to both.

Furthermore, the limitations presuppose a situation in which specific appropriations are made for the individual stations. However, the appropriation process does not follow that pattern. The budget of the Bureau of Mines is submitted in terms of major activities, which are divided into subactivities. The items in such a request are justified and explained in terms of the programs which they are designed to carry out, without respect to the geographical location or the particular stations at which various phases of the work may be done. This procedure enables the Congress to consider on an integrated basis the program proposed by the Bureau of Mines.

In addition, section 2 of S. 526 would eliminate an annual reporting requirement of the lignite laboratory at Grand Forks which involves duplication and is considered no longer necessary. Such special, individual annual reports no longer are required from any other Bureau of Mines facility.

FARM REAL ESTATE LOANS ON LEASED LANDS IN HAWAII

The Senate proceeded to consider the bill (S. 112) to authorize the Secretary of Agriculture to make real estate mortgage loans on leased lands in Hawaii, which had been reported from the Committee on Agriculture and Forestry with an amendment to strike out all after the enacting clause and insert:

That section 343 of the Consolidated Farmers Home Administration Act of 1961, as amended (7 U.S.C. 1991), is amended by striking the word "and" before the figure "(2)" in said section and by striking the period at the end thereof and inserting a comma and the following: "and (3) the term 'owner-operator' shall in the State of Hawaii include the lessee-operator of real property in any case in which the Secretary determines that the land cannot be acquired by the applicant, adequate security is provided for the loan, and there is a reasonable probability of accomplishing the objectives and repayment of the loan; *Provided*, That item (3) shall be applicable to lessee-operators of Hawaiian Homes Commis-

sion lands only when and to the extent that it is possible for such lessee-operators to meet the conditions therein set out."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read: "A bill to amend the Consolidated Farmers Home Administration Act of 1961 to authorize loans by the Secretary of Agriculture on leasehold interests in Hawaii, and for other purposes."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1274), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

EXPLANATION OF BILL

This bill, with the committee amendment, would authorize the Secretary of Agriculture to make farm improvement loans under subtitle A of the Consolidated Farmers Home Administration Act of 1961 to lessee-operators of farmland in Hawaii where (1) the land cannot be acquired by the applicant; (2) adequate security is provided for the loan; and (3) there is a reasonable probability of accomplishing the objectives and repayment of the loan.

At present, real estate loans under subtitle A of that act (other than loans for land and water development, use, and conservation) are restricted to farmers who are or will become "owner-operators" of not larger than family farms. The bill would permit such loans to be made to "lessee-operators" in Hawaii in the circumstances outlined above. Operating and emergency loans, as well as land and water conservation and development loans, under the act are not now limited to owner-operators and are therefore now available to lessee-operators.

HEARINGS

Hearings were conducted by a subcommittee of the committee on May 6, 1965. The Department of Agriculture advised that it had no objection to general legislation authorizing loans to lessee-operators, but that it did not recommend legislation applicable only to Hawaii. The hearings indicated, however, that there was a real need for this authority in Hawaii, which did not exist elsewhere, and the committee therefore restricted it to Hawaii.

NEED FOR THE BILL

Hawaii has land problems unlike those of other States, since much of its land is subject to restraints on alienation and consequently is operated under long-term lease.

A little over a century ago all of the land in Hawaii was owned by the King. Under King Kamehameha III, who became King in 1833, the land was divided into three parts, with one-third being vested in the King, one-third in the chiefs, and one-third in the tenants. Later the King divided his share, making two-thirds public domain and one-third his private estate; and the chiefs divided their land. Certain of the public lands were designated as Hawaiian homelands and subjected to statutory restraints on alienation by the Hawaiian Homes Commission Act, 1920.

A large part of the remaining lands have been controlled by a few landlords for many years, and their sale would result in such high taxes on the proceeds as to make sale impracticable. Some of the lands are held in charitable trusts which prevent their alienation.

As a consequence of these restraints on alienation most land transactions in Hawaii involve the sale of leases. Hawaiian farm-

ers in order to carry on their operations must, like other farmers, have adequate financing, and should have available to them the financing provided for farm improvement by Farmers Home Administration loans to the extent that such loans can safely be made on the security such farmers can provide. The bill would permit such loans. They would be authorized only where adequate security can be provided, where they can be repaid, and where the purpose of the loan can be accomplished.

As indicated in the attached letter of the Department of Agriculture, some amendment of the Hawaiian Homes Commission Act, 1920, may be necessary before adequate security can be provided for loans on Hawaiian homelands. Consequently, the committee amendment indicates that further action may be required before loans can be made on such lands.

COMMITTEE AMENDMENT

The committee amendment to the text of the bill does not change the purpose of the bill. It makes it clear that the loans would be made under subtitle A of the Consolidated Farmers Home Administration Act of 1961; and limits such loans to cases where the land cannot be acquired by the applicant there is adequate security and the loan will accomplish its purpose and be repaid. It also makes it clear that further action may be required before loans can be made on Hawaiian homelands. The amendment has been approved by the Governor and both Senators of Hawaii.

ENROLLED BILLS SIGNED

The VICE PRESIDENT announced that on Monday, June 13, 1966, the President pro tempore signed the following enrolled bills, which had previously been signed by the Speaker of the House of Representatives:

S. 2267. An act to extend the provisions of title XIII of the Federal Aviation Act of 1952, relating to war risk insurance; and

H.R. 15151. An act to permit the planting of alternate crops on acreage which is unplanted because of a natural disaster.

The VICE PRESIDENT announced that on Tuesday, June 14, 1966, the Vice President signed the following enrolled bills, which had previously been signed by the Speaker of the House of Representatives:

S. 1357. An act of revise existing bail practices in courts of the United States, and for other purposes;

H.R. 3177. An act to amend title 38, United States Code, to increase dependency and indemnity compensation in certain cases;

H.R. 3957. An act to authorize establishment of Fort Union Trading Post National Historic Site, N. Dak. and Mont., and for other purposes;

H.R. 5984. An act to amend sections 2275 and 2276 of the Revised Statutes, as amended, with respect to certain lands granted to the States;

H.R. 6646. An act to amend the Recreation and Public Purposes Act pertaining to the leasing of public lands to States and their political subdivisions;

H.R. 9961. An act to amend chapter 15 of title 38, United States Code, to provide that where a veteran receiving pension under this chapter disappears, the Administrator may pay the pension otherwise payable to the wife and children;

H.R. 10431. An act to declare that certain federally owned land is held by the United States in trust for the Minnesota Chippewa Tribe;

H.R. 11748. An act to amend section 111 of title 38, United States Code, to authorize the prepayment of certain expenses asso-

ciated with the travel of veterans to or from a Veterans' Administration facility or other place, in connection with vocational rehabilitation or counseling, or for the purpose of examination, treatment, or care;

H.R. 12676. An act to amend the Tariff Schedules of the United States to provide that certain forms of copper be admitted free of duty;

H.R. 13366. An act to authorize the disposal of aluminum from the national stockpile;

H.R. 13768. An act to authorize the disposal of celestite from the supplemental stockpile;

H.R. 13769. An act to authorize the disposal of cordage fiber (sisal) from the national stockpile;

H.R. 13770. An act to authorize the disposal of crocidolite asbestos (harsh) from the supplemental stockpile; and

H.R. 13773. An act to authorize the disposal of opium from the national stockpile.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT ON TITLE I, PUBLIC LAW 480 AGREEMENTS

A letter from the Associate Administrator, Foreign Agricultural Service, Department of Agriculture, transmitting, pursuant to law, a report on title I, Public Law 480 agreements, for the month of May, 1966 (with an accompanying report); to the Committee on Agriculture and Forestry.

AMENDMENT OF TITLE 10, UNITED STATES CODE, RELATING TO SPECIAL LEAVE FOR CERTAIN MEMBERS OF THE ARMED FORCES

A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to amend title 10, United States Code, to authorize a special 30-day period of leave for a member of a uniformed service who voluntarily extends his tour of duty in a hostile fire area (with an accompanying paper); to the Committee on Armed Services.

AMENDMENT OF INTERCOASTAL SHIPPING ACT OF 1933

A letter from the Chairman, Federal Maritime Commission, Washington, D.C., transmitting a draft of proposed legislation to amend Intercoastal Shipping Act of 1933 to provide for accounting at the expiration of a rate suspension (with accompanying papers); to the Committee on Commerce.

PUBLICATION ENTITLED "ECONOMIC REPORT ON MERGERS AND VERTICAL INTEGRATION IN THE CEMENT INDUSTRY"

A letter from the Chairman, Federal Trade Commission, Washington, D.C., transmitting, for the information of the Senate, a publication entitled "Economic Report on Mergers and Vertical Integration in the Cement Industry" (with an accompanying document); to the Committee on Commerce.

SUSPENSION OF DEPORTATION OF ALIENS— WITHDRAWAL OF NAME

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, withdrawing the name of Wing Yung Nee, also known as Fong Mal Kai and Michael Yee, from a report relating to aliens whose deportation has been suspended, transmitted to the Senate on February 1, 1965 (with an accompanying paper), to the Committee on the Judiciary.

REPORT ON EQUIPMENT TITLED IN NONPROFIT EDUCATIONAL INSTITUTIONS AND OTHER NON- PROFIT ORGANIZATIONS

A letter from the General Manager, U.S. Atomic Energy Commission, Washington, D.C., transmitting, pursuant to law, a report on equipment titled in nonprofit educational

institutions and other nonprofit organizations, for the calendar year 1965 (with an accompanying report); to the Joint Committee on Atomic Energy.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LONG of Louisiana, from the Committee on Finance, without amendment:

H.R. 15202. An act to provide, for the period beginning on July 1, 1966, and ending on June 30, 1967, a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act (Rept. No. 1275).

By Mr. SALTONSTALL, from the Committee on Armed Services, with an amendment:

H.R. 12270. An act to authorize the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and to provide transportation and other services to the Boy Scouts of America in connection with the 12th Boy Scouts World Jamboree and 21st Boy Scouts World Conference to be held in the United States of America in 1967, and for other purposes (Rept. No. 1277).

By Mr. MCGOVERN, from the Committee on Agriculture and Forestry, with amendments:

S. Con. Res. 88. Concurrent resolution relative to parity prices for agricultural commodities (Rept. No. 1276).

By Mr. ROBERTSON, from the Committee on Banking and Currency, without amendment:

H.R. 10357. An act to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the U.S. Secret Service (Rept. No. 1279); and

S.J. Res. 153. Joint resolution to provide for the striking of medals in commemoration of the 50th anniversary of the Federal land bank system in the United States (Rept. No. 1278).

By Mr. BARTLETT, from the Committee on Commerce, with an amendment:

S. 2218. A bill to establish a contiguous fishery zone beyond the territorial sea of the United States (Rept. No. 1280).

By Mr. MCCLELLAN, from the Committee on Government Operations, without amendment:

S. 3150. A bill to make further provision for the retirement of the Comptroller General (Rept. No. 1283); and

H.R. 6438. An act to authorize any executive department or independent establishment of the Government, or any bureau or office thereof, to make appropriate accounting adjustment or reimbursement between the respective appropriations available to such departments and establishments, or any bureau or office thereof (Rept. No. 1284).

SALE AND HANDLING OF CERTAIN DOGS AND CATS—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS (S. REPT. NO. 1281)

Mr. MAGNUSON. Mr. President, from the Committee on Commerce, I report favorably, with amendments, the bill (H.R. 13881) to authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs and cats intended to be used for purposes of research or experimentation, and for other purposes, and I submit a report thereon.

I ask unanimous consent that the report be printed, together with the indi-

vidual views of the Senator from Oregon [Mrs. NEUBERGER].

The VICE PRESIDENT. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Washington.

AMENDMENT OF FEDERAL AIRPORT ACT TO EXTEND TIME FOR MAK- ING GRANTS THEREUNDER—RE- PORT OF A COMMITTEE—ADDI- TIONAL COSPONSORS OF BILL (S. REPT. NO. 1282)

Mr. MAGNUSON. Mr. President, on behalf of the Senator from Oklahoma [Mr. MONROE], I report favorably, with amendments, the bill S. 3096, to amend the Federal Airport Aid Act to extend the time for making grants thereunder, and for other purposes, and I submit a report thereon.

I ask unanimous consent that the names of Senators CANNON and COTTON be added as cosponsors of this legislation at the next printing of the bill.

The VICE PRESIDENT. The report will be received and the bill will be placed on the calendar; and, without objection, the additional cosponsors will be added to the bill, as requested by the Senator from Washington.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,
The following favorable reports of nominations were submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

James M. Nabrit, Jr., of the District of Columbia, to be the deputy representative of the United States of America to the United Nations with the rank and status of Ambassador Extraordinary and Plenipotentiary, and deputy representative of the United States of America in the Security Council of the United Nations;

Delmar R. Carlson, of the District of Columbia, a Foreign Service officer of class 2, to be Ambassador Extraordinary and Plenipotentiary to Guyana;

Walter P. McConaughy, of Alabama, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary to China;

Alfred M. Gruenther, of the District of Columbia, to be a member of the General Advisory Committee of the U.S. Arms Control and Disarmament Agency;

Troy V. Post, of Texas, to be a member of the General Advisory Committee of the U.S. Arms Control and Disarmament Agency; and

Stephen J. Wright, of Tennessee, to be a member of the General Advisory Committee of the U.S. Arms Control and Disarmament Agency.

Mr. FULBRIGHT. Mr. President, also from the Committee on Foreign Relations, I report favorably sundry nominations in the Diplomatic and Foreign Service. Since these names have previously appeared in the CONGRESSIONAL RECORD, in order to save the expense of printing them on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The VICE PRESIDENT. Without objection, it is so ordered.

89TH CONGRESS
2D SESSION

S. 112

IN THE HOUSE OF REPRESENTATIVES

JUNE 16, 1966

Referred to the Committee on Agriculture

AN ACT

To amend the Consolidated Farmers Home Administration Act of 1961 to authorize loans by the Secretary of Agriculture on leasehold interests in Hawaii, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 343 of the Consolidated Farmers Home Admin-
4 istration Act of 1961, as amended (7 U.S.C. 1991), is
5 amended by striking the word “and” before the figure “(2)”
6 in said section and by striking the period at the end thereof
7 and inserting a comma and the following: “and (3) the
8 term ‘owner-operator’ shall in the State of Hawaii include
9 the lessee-operator of real property in any case in which the
10 Secretary determines that the land cannot be acquired by the

1 applicant, adequate security is provided for the loan, and
2 there is a reasonable probability of accomplishing the ob-
3 jectives and repayment of the loan: *Provided*, That item (3)
4 shall be applicable to lessee-operators of Hawaiian Homes
5 Commission lands only when and to the extent that it is pos-
6 sible for such lessee-operators to meet the conditions therein
7 set out."

Passed the Senate June 15, 1966.

Attest:

EMERY L. FRAZIER,

Secretary.

AN ACT

To amend the Consolidated Farmers Home Administration Act of 1961 to authorize loans by the Secretary of Agriculture on leasehold interests in Hawaii, and for other purposes.

JUNE 16, 1966

Referred to the Committee on Agriculture

89TH CONGRESS
2D SESSION

H. R. 15951

IN THE HOUSE OF REPRESENTATIVES

JUNE 27, 1966

Mr. MATSUNAGA introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend the Consolidated Farmers Home Administration Act of 1961 to authorize loans by the Secretary of Agriculture on leasehold interests in Hawaii, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 343 of the Consolidated Farmers Home Admin-
4 istration Act of 1961, as amended (7 U.S.C. 1991), is
5 amended by striking the word “and” before the figure “(2)”
6 in said section and by striking the period at the end thereof
7 and inserting a comma and the following: “and (3) the
8 term ‘owner-operator’ shall in the State of Hawaii include
9 the lessee-operator of real property in any case in which the
10 Secretary determines that the land cannot be acquired in fee

1 simple by the applicant, adequate security is provided for the
 2 loan, and there is a reasonable probability of accomplishing
 3 the objectives and repayment of the loan: *Provided*, That
 4 item (3) shall be applicable to lessee-operators of Hawaiian
 5 Homes Commission lands only when and to the extent that
 6 it is possible for such lessee-operators to meet the conditions
 7 therein set out."

89TH CONGRESS
 2D SESSION

H. R. 15951

A BILL

To amend the Consolidated Farmers Home
 Administration Act of 1961 to authorize
 loans by the Secretary of Agriculture on
 leasehold interests in Hawaii, and for other
 purposes.

By Mr. MATSUNAGA

JUNE 27, 1966

Referred to the Committee on Agriculture

to help solve the larger water problems of the seven basin States. The prospect is that these funds ultimately will be used to finance desalting plants, import aqueducts, or other works to supplement the depleted waters of the Colorado River system.

Benefiting from this project will be, not just the 1.7 million people of Arizona, but something like 30 million people in the seven basin States. Knock out Hualapai Dam, which the Digest seems to think is a good idea, and the capacity of that basin fund to help make the Colorado River "whole" will wither away. Knock out Marble Canyon Dam and the whole dream shatters. Yet the Digest says these dams "will serve no purpose."

Throughout its article the Digest plays a semantic game. The American people know what they mean by Grand Canyon—they mean the place they visit on vacation, the south rim and the north rim and all of that vast expanse of fantastic color and spectacle that is Grand Canyon National Park. But the Digest does not mean just that. When it speaks of "Grand Canyon," the Digest apparently means all of that stretch of the Colorado River beginning at Lees Ferry and extending down to Lake Mead. If all of that were in the national park, it would be the size of Rhode Island and Delaware. But this is not the "Grand Canyon," and saying it is will not make it so.

After all, it is a little difficult to say these dams would flood the Grand Canyon if you are speaking of the Grand Canyon everyone knows; the extent of that flooding would be a very slight increase in water elevation along one remote edge of the park. But if you can convince your readers that Grand Canyon includes vast areas upstream and downstream that have never been set aside for Federal protection, then your argument will seem convincing. And that is what the Digest has tried to do in this Sunday supplement attack on a sound and reasonable reclamation project.

Even a glance at this article, without reading it, could give a subscriber to the Digest a false impression. For example, the picture on the title page is labeled Marble Canyon. I know that readers, seeing that picture, thought this was a scene that would be flooded by the reservoir behind Marble Canyon Dam. However, this is not true. The scene is downriver from Nankoweap Creek, several miles below the proposed dam. It would not be affected at all.

Next is a picture of the Colorado in Grand Canyon National Monument. The river appears here as a continuous body of water, almost exactly as it would appear as part of the Hualapai Dam Reservoir. The only difference would be an increase in water elevation almost imperceptible from this vantage point.

And finally the Digest prints a picture of Upper Deer Creek Falls. It is a beautiful scene but quite irrelevant to the story because it would not be altered whatsoever by either of the dams or reservoirs.

And there you have the parts put together by the Digest to constitute what it calls a "desecration of one of our most spectacular national sanctuaries." If the editors had made their case, I would be on the firing line with them. So would all the other 36 sponsors of this legislation. So would all the basin-State Congressmen and Senators who see this legislation as a great help to the water problems of the West. But they have not made their case, and we shall not be joining them in this never-never approach to the great problems of conservation and resource development.

What readers of the Digest should know is that the West cannot survive without additional water. Here is a sound plan to finance its development and, at the same time, repay the Treasury with interest. It is a plan that pays great respect to the Grand Canyon, that will protect it from the prospect of unwise encroachments in the future. And it is a plan that will open Grand Canyon National Monument to the public, really for the first time, because on the surface of the lake in its inner gorge visitors will be able to look up on sheer cliffs a half-mile and more high. In my judgment Hualapai Dam will make of Grand Canyon National Monument one of the greatest visitors' attractions in the West.

The question, then, is not "Ruin for the Grand Canyon?" As I read and reread this Digest piece, I get the impression that what the editors really have in mind is "ruin for the Southwest." And I do not like it.

AMENDMENT TO CONSOLIDATED FARMERS HOME ADMINISTRATION ACT OF 1961

(Mr. MATSUNAGA asked and was given permission to address the House for 1 minute; to revise and extend his remarks, and to include extraneous matter.)

Mr. MATSUNAGA. Mr. Speaker, I have today introduced legislation which would amend the Consolidated Farmers Home Administration Act of 1961 to authorize loans by the Secretary of Agriculture on leasehold interests in Hawaii. Under existing law, real estate loans available under subtitle A of that act are restricted to farmers who are or will become "owner-operators," thus rendering ineligible farmers who hold less than a fee simple interest in the farmlands involved.

Mr. Speaker, Hawaii has land problems which are quite different from those found in the other States. First of all, there is an acute scarcity of available land, and fee simple land for agricultural use is almost nonexistent. Much of the available land is subject to restraints on alienation and therefore may be obtained for farm purposes only as leaseholds.

The land problems peculiar to Hawaii have virtually made it impossible for Hawaiian farmers to obtain needed financing to carry on their operations. My bill would tend to equalize the status of farmers in the island State with that of

farmers in other States by permitting farm improvement loans to be made under subtitle A to "lessee-operators" in Hawaii.

In order to accomplish the purposes for which my bill has been introduced, provisions have been included which would authorize such loans to lessee-operators of farmlands in Hawaii where, first, such lands cannot be acquired in fee simple; second, adequate security is provided for the loan; and third, there is reasonable probability of accomplishing the objectives and repayment of the loan.

This legislation, if enacted in time, would benefit the operators of a large number of family farms which have disappeared as the result of the growing urbanization of the island of Oahu, the principal island of the Hawaiian group. A very desirable farm tract at the easterly fringes of the city of Honolulu has been offered as leaseholds to this group by a private development corporation. The farmers reportedly have been granted a final extension date of September 30, 1966, to come up with their share of the improvement costs, and they are presently unable to make the needed loans to take advantage of the offer. This group of farmers in the past has been able to supply much of the fresh vegetable requirements of the military as well as the civilian population on Oahu.

Mr. Speaker, I do hope that the bill which I have introduced will be considered an emergency measure and be reported out early by the committee to which it is referred, and passed by this House in time to relieve the small farmers of Hawaii.

HORTON BILLS SEEK REFORM OF FEDERAL CRIMINAL LAWS, STRENGTHEN LAWS AGAINST OBSTRUCTING INVESTIGATIONS

(Mr. HORTON asked and was given permission to address the House for 1 minute; to revise and extend his remarks, and to include extraneous matter.)

Mr. HORTON. Mr. Speaker, the incidence of serious crime in the United States has doubled since 1940, and has increased five times faster than our national population since 1958. The prognosis, unfortunately, is that such increases will continue unless significant remedial action is taken promptly.

This alarming development has prompted the President to label crime "a malignant enemy in America's midst," and "a national industry." Such observations justify the further conclusion that the criminal element in our society has declared open and total warfare upon the United States.

The malignant character of the crime rate erodes and corrodes the quality of our citizens' lives. It does so principally through its generation of an atmosphere of fear among the citizenry—a fear, the manifestations of which compel the citizen to arm himself with tear gas, guns, a proficiency in judo, and the like,

if he or she is to enjoy, with a modicum of protection, that simple pleasure of strolling the streets and sidewalks of our cities, towns and villages at night.

Criminals have declared war on the United States. To successfully conclude this war in victory for our citizens, it is vital that, as in all wars, our law-enforcement officials possess the weapons capable of achieving and assuring this victory.

A responsive arousal of the citizenry to their duty to cooperate with enforcement agencies and officials in the communication of information concerning the commission of crimes with respect to which they have a vital and personal awareness is one approach that will contribute some needed weight to this balancing.

To this end, I respectfully submit the following bills for the consideration of my colleagues:

First. A bill which would stimulate citizen cooperation with law-enforcement agencies and officers by providing stiff punishments for the exercise of any threat, intimidation, harassment, and so forth—the methods often employed by the underworld elements—designed to obstruct criminal investigations by means of delaying, preventing or obstructing the communication of information concerning crimes to law-enforcement officials and agencies of the Federal Government. The penalty upon conviction for any violation under this bill is a \$5,000 fine, imprisonment for not more than 5 years, or both.

Second. I am submitting a bill to establish a National Commission on Reform of the Federal Criminal Laws. In light of the crisis-level increases in serious crimes, and in light of the increasing effects of constitutional considerations on law enforcement procedures, I believe that Congress should have the opportunity to reshape the whole of title 18, United States Code to fit the needs of today's urban criminal patterns. I am not advocating new laws that would challenge recent decisions of the Supreme Court relating to the rights of an accused person. I am, however, concerned that new laws and perhaps more modern procedures be found within constitutional limits, so that law enforcement and judicial branches of government will have the tools with which to bring peace and order to the streets and households of this Nation.

We have gone beyond the point where patchwork changes in our criminal code are adequate to meet the problem we face. Under my bill, the Commission would be required to report its findings and recommendations by the end of 1968.

The first bill I am submitting is one which strengthens the criminal law respecting the obstruction of criminal investigations. It is among the patchwork changes which is urgently needed in a particular area of the law. The second bill, I am confident, will enable the Congress to review the whole scope of Federal criminal statutes, with an eye to weaving a more up to date, and more effective legislative shield against crime.

REFORM OF THE PRESENT DRAFT SYSTEM IS VITAL TO EVERY AMERICAN FAMILY

(Mr. ELLSWORTH (at the request of Mr. DAVIS of Wisconsin) was granted permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. ELLSWORTH. Mr. Speaker, reform of the present unfair and inefficient draft system is vital to every American family. In testimony before the House Armed Services Committee tomorrow I will call for ultimate abolition of selective service and creation of a modern, professional, career-oriented military force.

I am opposed to creation of any system of obligated national service or universal military training, and believe a lottery is no great improvement over what we now have.

I have long been a congressional proponent of reform of the draft. Last March 1, I spoke for 30 Republican House Members who urged a congressional investigation of the draft. Since that time we have released six detailed studies pointing out inequities and inefficiencies, and making recommendations for change in Selective Service. The current congressional hearings were secured as a result of general dissatisfaction with the administration of the draft.

Under leave to extend my remarks I ask that the transcript of my testimony, to be delivered to the Armed Services Committee tomorrow, be inserted in the Record.

TESTIMONY OF CONGRESSMAN ROBERT ELLSWORTH BEFORE THE HOUSE ARMED SERVICES COMMITTEE ON SELECTIVE SERVICE REFORM, JUNE 28, 1966

Mr. Chairman, I congratulate you and your colleagues on the Armed Services Committee for your decision to examine the draft. And I appreciate this opportunity to present my views.

In the course of the studies which my colleagues and I have undertaken, I have developed my own personal beliefs as to the directions which reform of the draft should take. They are my own and in expressing them I speak for myself.

The present draft system is inefficient and unfair and must be reformed immediately. None of the reforms I will suggest would require new legislation.

But far more important, and more fundamental, Congress owes this nation a new and better system for providing manpower to our Armed Forces. Obligated National Service is not the answer; universal military training will not do the job; a lottery is no great improvement over what we now have.

Mr. Chairman and members of the Committee, I urge that Congress abolish the draft, and get on with the establishment of a modern, professional, career-oriented, highly paid volunteer military force.

I believe the present Selective Service System is inefficient and unfair. More important, I do not believe that the present system can be made adequate by minor adjustments or tinkering. What is required is to start at the beginning, determine what is needed, and provide it. I do not believe that the crazy quilt of existing law and regulations can be made fair, efficient or logical merely by the addition of a few new patches.

It will, however, take months of intensive study to produce new legislation based on a new concept. In the meantime the exist-

ing system can be made more appropriate by specific changes, none of which would require new legislation:

The Defense Department should set equal acceptability standards for all, rather than discriminating as it presently does between high school graduates and high school drop-outs.

In view of the emergency in Vietnam the Defense Department's acceptability standards should be lowered, as was the intent of the provisions in the Universal Military Training and Service Act.

Part-time college and university students, who must work in order to continue their education, should be deferred on the same basis as full-time students.

National Selective Service headquarters should provide local draft boards with a specific set of guidelines on how to apply the various criteria for student deferment, rather than impose on the local boards the responsibility of interpretation, thus encouraging different policies in different boards.

Selective Service should provide local boards with a specific order of priority for the reconsideration of presently deferred groups, if the I-A pool must be expanded.

Simple data-processing equipment should be installed for the storage and maintenance of files to facilitate Selective Service's capacity to measure quickly and accurately the composition of the 32 million registration it now must handle.

Necessary as these reforms are—now—they are nonetheless only the means of making the best of a system which should be scrapped altogether. In my judgment we must start with a totally new concept.

There are four basic alternatives to the current system: Obligated National Service; universal military training; a lottery; and abolition of the draft.

The concept of a national service obligation to replace a military service obligation is repulsive. The military draft has occasionally been necessary in our history in order to secure the national defense. But the drafting of men or women for civilian service, no matter how laudatory the cause, is the exact antithesis of everything this nation stands for. It is surely not what immigrants came to our shores to seek; it is in fact what they came to avoid.

There is no more noble pursuit than service in the Peace Corps. VISTA, the Job Corps, a soundly administered and purposeful War on Poverty are all vital programs through which any young man or woman can make an extraordinary contribution to the welfare of our nation. All Americans owe a debt of gratitude to those who have chosen a career in teaching in the public schools. There is a host of jobs here at home that our nation must tackle to make its democracy, its freedom and its prosperity real for our people—all of our people.

We must encourage our young men and women to seek to make these pursuits their life work. This nation cannot truly be great until these jobs are done. It is vitally important that our nation capture the idealism of its young, and channel their energies in these directions. It is vitally important that we, as a people, make the irrevocable decision to eradicate poverty and ignorance and disease in our own land.

But it is a perverse distortion of the American dream to believe that we should do this by drafting our young people to serve all the needs of society. The very thing that has made our nation unique is the dedication of its people—the volunteer spirit with which they approach the problems of society. The Peace Corps has been an outstanding success not because young American men and women were drafted into it but because

DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE
WASHINGTON, D. C. 20250
OFFICIAL BUSINESS

POSTAGE AND FEES PAID
U. S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(FOR INFORMATION ONLY;
NOT TO BE QUOTED OR CITED)

Issued August 11, 1966
For actions of August 10, 1966
89th-2nd; No. 131

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HIGHLIGHTS: Sen. Proxmire urged rapid action on school milk program. Sen. Carlson inserted Rep. Dole's speech favoring food for freedom program. Rep. Albert claimed study shows our consumer prices better than other countries.

HOUSE

1. TRAFFIC SAFETY. The Rules Committee reported a resolution for the consideration of H. R. 13228, the proposed Traffic Safety Act of 1966. p. 17950
2. MILITARY CONSTRUCTION. Passed, 389-1, with amendment, S. 3105, the military construction bill, which includes an authorization to repay Commodity Credit Corporation for family housing. pp. 17951-92, 18022

3. LOANS. A subcommittee of the Agriculture Committee approved for full committee action H. R. 15951, amended, to amend the Consolidated Farmers Home Administration Act of 1961 to authorize loans by the Secretary of Agriculture on leasehold interests in Hawaii. p. D740
4. HISTORIC SITES. The Interior and Insular Affairs Committee voted to report (but did not actually report) S. 3035, to establish a program for the preservation of additional historic properties throughout the Nation. p. D741
5. RECREATION. The Interior and Insular Affairs Committee voted to report (but did not actually report) S. 3510, to authorize the Secretary of the Interior to study the feasibility and desirability of the Connecticut River National Recreation Area. p. D741
6. WATERSHEDS. The "Daily Digest" states that a subcommittee of the Public Works Committee "approved for full committee action, 19 watershed projects." p. D741
7. FOOD PRICES. Rep. Albert stated that a study of comparative consumer prices in the U. S. and other major countries "indicates that our consumers are considerably better off," and inserted a comparison table. pp. 17947-8
Rep. Dwyer inserted an article, "Those Food Budget Blues." pp. 18000-2
8. FARM PROSPERITY. Rep. Hansen, Iowa, inserted an article, "The Current Upswing in the Farm Equipment Industry Signals a New Outlook." p. 18023
9. ATTORNEYS' FEES. Rep. Hathaway spoke in support of his bill to remove arbitrary limitations upon attorneys' fees for services rendered in proceedings before administrative agencies of the U. S. pp. 18027-8
10. INVASION OF PRIVACY. Rep. McDowell expressed his opposition "to any computerized Federal data center that would maintain dossiers on the personal lives of the citizens of this Nation." p. 18035
11. FLOOD CONTROL. Received from the President a report by the task force on Federal flood control policy (H. Doc. 465). p. 18038
12. TRANSPORTATION; COMMODITIES. Received from GAO "a report of opportunity to reduce costs of providing protection from heat and cold on shipments of certain perishable commodities." p. 18038

SENATE

13. HOUSING. The Banking and Currency Committee reported an original bill, S. 3711, to amend and extend laws relating to housing and urban development (S. Rept. 1455). p. 18096
14. APPROPRIATIONS. Passed, 82-2, with amendments, H. R. 14921, the independent offices appropriation bill. Conferees were appointed. House conferees have not yet been appointed. pp. 18040, 18059-95
15. NATIONAL PARK. Sen. Kuchel urged an end to timber cutting within the proposed Redwood National Park boundaries. pp. 18040-2

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Issued August 17, 1966
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89th-1st; No. 135

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HIGHLIGHTS: House agreed to conference report on dog-cat handling bill. Sen. Magnusson commended progress in opening new markets for U. S. beef exports. Sen. Proxmire urged early action on school milk program. Rep. Roudebush blamed administration for "higher food prices." Rep. Schmidhauser commended Secretary Freeman's statement before N. Y. City Council on food prices. Rep. Dague criticized rural community development bill.

HOUSE

1. RESEARCH. Agreed to the conference report on H. R. 13881, to authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs, cats, and other animals intended to be used for research. pp. 18709-10, 18757-8
2. LOANS. The Agriculture Committee reported with amendment H. R. 15951, to authorize USDA loans on leasehold interests in Hawaii (H. Rept. 1856). p. 18766

Rep. Widnall said the "participation sales authorization" in the "administration's tight money market" would be "tragic." p. 18699

Rep. Conte said the administration should do more to control the "tight money market." pp. 18756-7

3. LEGISLATIVE APPROPRIATION BILL. Agreed to the conference report on this bill, H. R. 15456. pp. 18704-9
4. TRANSPORTATION. Passed, 236-127, with amendments H. R. 14810, the urban mass transportation bill to authorize additional amounts for assistance thereunder, to authorize grants for certain technical studies, etc. pp. 18710-42
5. SOIL CONSERVATION. Rep. Anderson, Tenn., commended progress of the soil conservation districts. pp. 18758-9
6. MOVING EXPENSES. Rep. Monagen spoke in favor of his bill, H. R. 17012, to remove the income tax from reimbursed moving expenses. p. 18761
7. WATER RESOURCES. Received from this Department a proposed bill to amend the Watershed Protection and Flood Prevention Act so as to avoid the executive-prerogatives issue; to Agriculture Committee. p. 18766
The Public Works Committee approved 19 watershed projects. p. D764
The conferees agreed to file a report on S. 602, to broaden the scope of the Small Reclamation Projects Act. p. D765
The conferees agreed to file a report on S. 3034, to authorize feasibility investigations of certain water-resource development proposals. p. D765
8. PERSONNEL. Received from the State Department a proposed bill to authorize certain retired and other personnel to accept and wear decorations, presents, and other things tendered them by certain foreign countries; to Foreign Affairs Committee. p. 18766
9. INTERGOVERNMENTAL RELATIONS. The Intergovernmental Relations Subcommittee approved for Government Operations Committee action H. R. 15335, to amend the act to establish an Advisory Commission on Intergovernmental Relations. p. D764
10. LEGISLATIVE PROGRAM. The "Daily Digest" says the traffic safety bill will be considered today. p. D763

SENATE

11. PATENTS. The Judiciary Committee reported with amendments S. 1809, to establish a uniform national policy concerning property rights in inventions made through the expenditure of public funds (S. Rept. 1461). p. 18623
12. MILITARY CONSTRUCTION. Conferees were appointed on S. 3105, the military construction bill, which includes an authorization to repay the Commodity Credit Corporation for family housing. House conferees have not yet been appointed. pp. 18671-7
13. APPROPRIATIONS. Began debate on H. R. 15941, the defense appropriation bill, which includes funds for milk for military personnel which previously has been financed by USDA. pp. 18621, 18651-71, 18677-84

FARM REAL ESTATE LOANS ON LEASED LANDS IN HAWAII

AUGUST 16, 1966.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. COOLEY, from the Committee on Agriculture, submitted the following

R E P O R T

[To accompany H.R. 15951]

The Committee on Agriculture, to whom was referred the bill (H.R. 15951) to amend the Consolidated Farmers Home Administration Act of 1961 to authorize loans by the Secretary of Agriculture on leasehold interests in Hawaii, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill do pass.

The amendment is as follows:

On page 1, line 3, after the word "That", insert:

only for the period of time commencing with the date of enactment of this Act and ending on June 30, 1968

PURPOSE

The purpose of the bill, with the committee amendment, is to authorize, for a temporary period of less than 2 years, the making of farm improvement loans under subtitle A of the Consolidated Farmers Home Administration Act of 1961 to lessee-operators of farmland in Hawaii where (1) the land cannot be acquired by the applicant; (2) adequate security is provided for the loans; and (3) there is a reasonable probability of accomplishing the objectives and repayment of the loan.

HEARINGS

Hearings were held by the Conservation and Credit Subcommittee on August 10, 1966. At these hearings the Department of Agriculture testified that it had no objection to general legislation authorizing loans to lessee-operators, but that it did not recommend legislation applicable only to Hawaii. The hearings, indicated, however, that

there was in Hawaii a real need for this particular authority which did not exist elsewhere and an emergency situation requiring immediate action. The committee has, therefore, restricted the bill to Hawaii and limited its application to the period between enactment of the bill and June 30, 1968.

NEED FOR THE LEGISLATION

Because of a land-tenure system peculiar to Hawaii, there is virtually no farmland in the State available for purchase in fee simple. For generations, most of the farmland in Hawaii has been held under an entailed status which permits its transfer only on a lease basis. Many of these leases run for 99 or 55 years. The Consolidated Farmers Home Administration Act of 1961 authorizes real estate loans only to owners or prospective owners of farmlands in fee. Therefore, for all practical purposes, Hawaii is barred from participation in the real estate loan provision of this law.

A little over a century ago all of the land in Hawaii was owned by the King. Under King Kamehameha III, who became King in 1833, the land was divided into three parts, with one-third being vested in the King, one-third in the chiefs, and one-third in the tenants. Later the King divided his share, making two-thirds public domain and one-third his private estate; and the chiefs divided their land. Certain of the public lands were designated as Hawaiian homelands and subjected to statutory restraints on alienation by the Hawaiian Homes Commission Act, 1920.

A large part of the remaining lands have been controlled by a few landlords for many years, and their sale would result in such high taxes on the proceeds as to make sale impracticable. Some of the lands are held in charitable trusts which prevent their alienation.

As a consequence of these restraints on alienation most land transactions in Hawaii involve the sale of leases. Hawaiian farmers, in order to carry on their operations must, like other farmers, have adequate financing for farm improvement. The bill would permit such loans. They would be authorized only where adequate security can be provided, where they can be repaid, and where the purpose of the loan can be accomplished.

THE IMMEDIATE SITUATION

The immediate situation requiring speedy enactment of this bill is best described in the statement of Hon. Spark M. Matsunaga, Representative from Hawaii, before the Subcommittee on Conservation and Credit. Following is Mr. Matsunaga's statement.

STATEMENT OF SPARK M. MATSUNAGA, MEMBER OF CONGRESS FROM HAWAII, ON H.R. 15951

Mr. Chairman and members of the subcommittee, I thank you for this opportunity to testify in support of my bill, H.R. 15951, which would amend the Consolidated Farmers Home Administration Act of 1961 to authorize loans by the Secretary of Agriculture on leasehold interests in Hawaii.

Real estate loans available under subtitle A of that act are restricted to farmers who are or will become "owner-

operators" of not larger than family farms. Existing law therefore renders ineligible farmers who hold less than a fee simple interest in the farmlands involved.

As you know, Hawaii has land problems which are quite different from those found in other States. First of all, there is an acute scarcity of available land, and fee simple land for agricultural use is almost nonexistent. This is especially true on Oahu, the principal island of the Hawaiian group. Much of the available land is subject to restraints on alienation and therefore may be obtained for farm purposes or any other purpose only as leaseholds.

The land problems peculiar to Hawaii have made it practically impossible for farmers to obtain needed financing to carry on their operations. My bill would tend to equalize the status of farmers in the island State with that of farmers in other States by authorizing farm improvement loans to be made under subtitle A to "lessee-operators" in Hawaii.

In order to accomplish the purposes for which my bill has been introduced, provisions have been included which would authorize such loans to lessee-operators of farmlands in Hawaii where (1) such lands cannot be acquired in fee simple, (2) adequate security is provided for the loan, and (3) there is reasonable probability of accomplishing the objectives and repayment of the loan.

This legislation, if enacted in time, would benefit the operators of a large number of family farms which have disappeared as the result of the growing urbanization of Oahu, the island on which the State capital of Honolulu and most of our Army and Navy installations in Hawaii are located. I have in mind, in particular, a group of truck farmers who will soon be displaced from the area known as Koko Head, now an easterly suburb of the city of Honolulu. Most of these farmers have engaged in truck farming in the area for many years, some for as long as a quarter of a century. As the result of several years of negotiations, a very desirable farm tract in the same general area has been offered as leaseholds to this group by a private development corporation. The farmers mistakenly had thought that they would be able to finance their share of the development costs by means of loans under the Farmers Home Administration Act. After being granted several extensions by the development corporation, the farmers reportedly have been granted a final extension date of September 30, 1966, to come up with their share of the improvement costs. The farmers are presently unable to make the needed loans.

These farmers have been supplying much of the fresh vegetable requirements of the military as well as the civilian population on Oahu. They presently raise about 75 percent of the total Manoa or semihead-type lettuce. The total weekly consumption of this crop is from 30,000 to 35,000 pounds. This area is considered to be the only suitable one for this important crop. Other vegetables grown in large quantities by these farmers are tomatoes, cucumbers, green peppers, and green onions. All of these vegetables are purchased in large quantities by the military.

In a recent unsolicited letter, Rear Adm. H. S. Persons, commandant of the 14th Naval District, with headquarters at Pearl Harbor, informed me that in spite of the fact that the Navy has been promoting the use of Hawaii-grown vegetables for the past several years, "the farmers of Hawaii have not been able to fully meet the total needs of the Navy." He appended to his letter a list of nine vegetables for which the Navy has its heaviest requirements. Included in the list are the five vegetables which are grown in large quantities by the farmers in the Koko Head area who face an uncertain future.

Admiral Persons went on to state that a meeting was held last month by Navy supply officers with officials of the State Department of Agriculture and the University of Hawaii and produce growers to solicit their help in increasing island production of these needed farm products.

Mr. Chairman, the Navy is to be commended for its farsighted views with respect to its requirements for fresh vegetables in Hawaii. It realizes the disastrous consequences which could flow during an emergency, such as the current airline strike, if total reliance were to be placed on west coast sources of supply. The experience of the Navy is such that the production of fresh vegetables in Hawaii should not remain at present levels, but ought to be increased substantially. This can be accomplished by increasing the acreage devoted to truck farming and improving present methods of production. Above all, it is vital that farmers be encouraged to remain farmers.

In Hawaii, where for all practical purposes farmlands in fee simple are nonexistent, the continued production of vegetables even at present levels can be assured only by making loans under the Consolidated Farmers Home Administration Act of 1961 available to farmers holding leases on agricultural lands.

Mr. Chairman, for the reasons I have stated, I strongly urge that H.R. 15951 be given favorable consideration by this subcommittee.

Thank you.

DEPARTMENTAL POSITION

The spokesman for the Department of Agriculture stated at the hearing that the Department has no objection to legislation authorizing loans to holders of long-term leases of agricultural lands if the legislation would apply to all the States and Puerto Rico, and the Virgin Islands.

The committee does not agree with the Department's recommendation. It believes that there is a real need for this legislation with respect to farmers only in Hawaii and that an emergency situation exists which should be met by this temporary amendment of the Farmers Home Administration Act.

While there are large estates in some other of the States, there is no State, other than Hawaii, where there is virtually no farmland for sale in fee simple. The committee does not agree at this time that this principle should be extended as a general policy to all the States, nor that it should be extended beyond June 30, 1968, in Hawaii.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, and existing law in which no change is proposed is shown in roman):

CONSOLIDATED FARMERS HOME ADMINISTRATION ACT OF 1961

* * * * *

SUBTITLE D—ADMINISTRATIVE PROVISIONS

* * * * *

SEC. 343. As used in this title (1) the term "farmers" shall be deemed to include persons who are engaged in, or who, with assistance afforded under this title, intend to engage in, fish farming, [and] (2) the term "farming" shall be deemed to include fish farming [.] and (3) *the term 'owner-operator' shall in the State of Hawaii include the lessee-operator of real property in any case in which the Secretary determines that the land cannot be acquired in fee simple by the applicant, adequate security is provided for the loan, and there is a reasonable probability of accomplishing the objectives and repayment of the loan: Provided, That item (3) shall be applicable to lessee-operators of Hawaiian Homes Commission lands only when and to the extent that it is possible for such lessee-operators to meet the conditions therein set out.*¹

¹ The changes in existing law shown herein shall be operative only for the period of time commencing with the date of enactment of this act and ending on June 30, 1968.



H. R. TAYLOR

1873

Union Calendar No. 853

89TH CONGRESS
2D SESSION

H. R. 15951

[Report No. 1856]

IN THE HOUSE OF REPRESENTATIVES

JUNE 27, 1966

MR. MATSUNAGA introduced the following bill; which was referred to the Committee on Agriculture

AUGUST 16, 1966

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Insert the part printed in italic]

A BILL

To amend the Consolidated Farmers Home Administration Act of 1961 to authorize loans by the Secretary of Agriculture on leasehold interests in Hawaii, and for other purposes.

- 1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 *That only for the period of time commencing with the date*
4 *of enactment of this Act and ending on June 30, 1968,*
5 section 343 of the Consolidated Farmers Home Admin-
6 istration Act of 1961, as amended (7 U.S.C. 1991), is
7 amended by striking the word "and" before the figure "(2)"
8 in said section and by striking the period at the end thereof
9 and inserting a comma and the following: "and (3) the

1 term 'owner-operator' shall in the State of Hawaii include
2 the lessee-operator of real property in any case in which the
3 Secretary determines that the land cannot be acquired in fee
4 simple by the applicant, adequate security is provided for the
5 loan, and there is a reasonable probability of accomplishing
6 the objectives and repayment of the loan: *Provided*, That
7 item (3) shall be applicable to lessee-operators of Hawaiian
8 Homes Commission lands only when and to the extent that
9 it is possible for such lessee-operators to meet the conditions
10 therein set out."

12021 H B 12021

(H. B. 12021)

A BILL

FOR AN ACT TO AMEND THE
CONSTITUTION OF THE STATE OF
MISSISSIPPI, IN RELATION TO
THE OFFICE OF THE ATTORNEY
GENERAL.

SECTION 1. The Constitution of the State of Mississippi is amended by adding to Article IV, Section 1, the following:

"The Attorney General shall be elected by the people at the general election held every four years, and shall hold office for four years."

SECTION 2. The Constitution of the State of Mississippi is amended by adding to Article IV, Section 2, the following:

"The Attorney General shall be elected by the people at the general election held every four years, and shall hold office for four years."

SECTION 3. The Constitution of the State of Mississippi is amended by adding to Article IV, Section 3, the following:

[Report No. 1856]

A BILL

To amend the Consolidated Farmers Home Administration Act of 1961 to authorize loans by the Secretary of Agriculture on leasehold interests in Hawaii, and for other purposes.

By Mr. MATSUNAGA

JUNE 27, 1966

Referred to the Committee on Agriculture

AUGUST 16, 1966

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

Aug. 30, 1966

13. APPALACHIA. Sens. Randolph and Cooper praised the Appalachian regional development program and Sen. Randolph urged that future funds should be appropriated directly to the Appalachian Regional Commission rather than through Commerce, Agriculture, Interior, and HEW budget as at present. pp. 20300-08

14. INTEREST RATES. Sens. Proxmire, Long, La., and others expressed concern over high interest rates and housing costs increases. pp. 20296-7, 20317-22

HOUSE

15. LABOR STANDARDS. Conferees were appointed on H. R. 13712, to increase minimum wages and to extend such coverage to additional employees. Senate conferees have already been appointed. p. 20336

16. HISTORIC SITES. The Interior and Insular Affairs Committee reported with amendment S. 3035, to establish a program for the preservation of additional historic properties throughout the Nation (H. Rept. 1916). p. 20447

17. WATER RESOURCES. The Interior and Insular Affairs Committee reported with amendment H. R. 13508, to direct the Interior Department to cooperate with N. Y. and N. J. on a program to develop, preserve, and restore the Hudson River and its shores and to authorize steps to protect those resources from adverse Federal actions until the States and Congress shall have opportunity to act on the program (H. Rept. 1917). p. 20447

Rep. Saylor expressed the "need to reassess the Nation's water needs" as "traditionally taxpayers in the eastern part of the United States have provided most of the funds for the development of water projects in the West." pp. 20416-9

18. TRAFFIC SAFETY. Received the conference report on S. 3005, to establish motor vehicle safety standards (H. Rept. 1919). pp. 20389-96

Received the conference report on S. 3052 to provide for a coordinated national safety program through financial assistance to the States to accelerate highway traffic safety programs (H. Rept. 1920). pp. 20396-99

19. LOANS. Passed S. 112, to authorize the Secretary of Agriculture to make real estate mortgage loans on leased lands in Hawaii, with an amendment to substitute the language of a similar bill, H. R. 15951, which was earlier passed as reported. H. R. 15951 was tabled (pp. 20336-8). The bill as passed authorizes "for a temporary period of less than 2 years, the making of farm improvement loans under subtitle A of the Consolidated Farmers Home Administration Act of 1961 to lessee-operators of farmland in Hawaii where (1) the land cannot be acquired by the applicant; (2) adequate security is provided for the loans; and (3) there is a reasonable probability of accomplishing the objectives and repayment of the loan."

20. POSTAL RATES. Concurred in Senate amendments to H. R. 14904, to revise postal rates on certain fourth-class mail. This bill will now be sent to the President. pp. 20340-42

21. TRANSPORTATION. Passed, 336-42, with amendments H. R. 15963, to establish a Department of Transportation. pp. 20342-84

22. INTEREST RATES. The "Daily Digest" states that the Rules Committee "Granted an open rule...on (making it in order to consider the committee substitute as an original bill for the purpose of amendment, further making it in order to consider H. R. 17255 as a substitute for the committee amendment) H. R. 14026, to prohibit insured banks from issuing negotiable interest-bearing or discounted notes, certificates of deposit, or other evidences of indebtedness." p. D827
23. CHEESE IMPORTS. Rep. Race inserted the text of his letters to HEW urging an increase in the amount of inspection activity on imported cheese and other dairy products and to this Department urging "immediate steps to curb the unrealistically high cheese import quotas imposed recently." pp. 20402-3
24. SOYBEANS. Rep. Kupferman commended the inauguration of a N. Y. "Soybean Futures Market," and inserted an article on the subject. pp. 20411-2
25. RECREATION. Rep. Madden inserted his testimony favoring legislation to provide for the establishment of the Indiana Dunes National Lakeshore Park. pp. 20444-5
26. OCEANOGRAPHY. Rep. Sickles stated that the seas contain hidden treasures in the form of minerals and food and hoped for new breakthroughs in this field. pp. 20430-1
27. FARM LABOR. Rep. Cohelan stated that "the whole country--California included--has benefited from the termination of mass importing of foreign farm labor." p. 20434
28. ELECTRIFICATION. Rep. Clark inserted an article, "Government Official's View: Dickey Won't Mean Much to Boston Power Users." pp. 20441-2
29. LANDS. The Interior and Insular Affairs Committee voted to report (but did not actually report) H. R. 3104, amended, to remove a cloud on title to certain lands in Calif. p. D826

ITEMS IN APPENDIX

30. FOOD PRICES. Extension of remarks of Rep. Rumsfeld stating that "the growing problems of rising prices and inflation will not be solved by wishing they would go away", and inserting an article, "Costs Squeeze Wives' Budgets: How Women Fight Prices." pp. A4582-3
31. FARM PROGRAM. Rep. Laird inserted Oren Staley's address which sets forth the aims and objectives of the National Farmers Organization. pp. A4595-6
32. FARM LABOR. Extension of remarks of Rep. Hawkins stating that the "plight of the migrant farmworker is possibly the worst in the Nation", and will remain so until they are covered by labor laws. pp. A4596-7
33. CONSERVATION. Extension of remarks of Rep. Tuck describing how resource conservation measures have relieved drought conditions in his district. p. A4597
34. FOOD SUPPLY. Extension of remarks of Rep. Quillen stating "we must face now the seriousness of our shrinking surplus" and inserting an article on this subject. pp. A4598-9

House of Representatives

TUESDAY, AUGUST 30, 1966

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

There is one God and Father of all, who is above all and through all and in all.—Ephesians 4: 6.

Almighty God, our Heavenly Father, we pause in the midst of pressing duties and commanding needs to open our hearts in prayer unto Thee—who art the source of goodness and love and truth—that the light of Thy spirit may shine upon our pathway and illumine the way to righteousness, to justice, and to peace.

Keep our hearts clean, our spirits courageous, and our minds clear as we face the tasks of this day. Lead us and all men to that realm where good will shall reign and truth shall rule and freedom shall regulate the actions of men.

Before this altar of prayer we dedicate ourselves anew to Thee and we pledge our loyalty to our Nation and to the well-being of men everywhere: through Christ our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills and a joint resolution of the House of the following titles:

H.R. 9824. An act to amend the Life Insurance Act of the District of Columbia, approved June 19, 1934, as amended;

H.R. 13558. An act to provide for regulation of the professional practice of certified public accountants in the District of Columbia, including the examination, licensure, registration of certified public accountants, and for other purposes;

H.R. 13703. An act to make technical amendments to titles 19 and 20 of the District of Columbia Code;

H.R. 15858. An act to amend section 6 of the District of Columbia Redevelopment Act of 1945, to authorize early land acquisition for the purpose of acquiring a site for a replacement of Shaw Junior High School; and

H.J. Res. 1284. Joint resolution making continuing appropriations for the fiscal year 1967, and for other purposes.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 1066. An act to amend section 11-1701 of the District of Columbia Code to increase the retirement salaries of certain retired judges;

H.R. 10823. An act relating to credit life insurance and credit health and accident insurance with respect to student loans;

H.R. 11087. An act to amend the District of Columbia Income and Franchise Tax Act

of 1947, as amended, and the District of Columbia Business Corporation Act, as amended, with respect to certain foreign corporations;

H.R. 14205. An act to declare the Old Georgetown Market a historic landmark and to require its preservation and continued use as a public market, and for other purposes; and

H.R. 14904. An act to revise postal rates on certain fourth-class mail, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3105) entitled "An act to authorize certain construction at military installations, and for other purposes."

The message also announced that the Senate agrees to the amendments of the House to the bill S. 2263 entitled "An act to establish a traffic branch of the District of Columbia court of general sessions and to provide for the appointment to such court of five additional judges" with amendments in which concurrence of the House is requested.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1607. An act to amend the act of September 13, 1962, authorizing the establishment of the Point Reyes National Seashore in the State of California, and for other purposes;

S. 2535. An act to amend the act of March 1, 1933 (47 Stat. 1418), entitled "An act to permanently set aside certain lands in Utah as an addition to the Navajo Indian Reservation, and for other purposes";

S. 3178. An act to amend section 8 of the Taylor Grazing Act of June 28, 1934 (43 U.S.C. 315g);

S. 3198. An act to amend section 402 of the Federal Aviation Act of 1958;

S. 3261. An act to authorize the Secretary of the Interior to convey certain lands in the State of Maine to the Mount Desert Island Regional School District; and

S. 3460. An act to authorize the Secretary of the Interior to enter into contracts for scientific and technological research, and for other purposes.

TO AUTHORIZE THE PRINTING OF ADDITIONAL COPIES OF HOUSE DOCUMENT NO. 96, 86TH CONGRESS

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 930 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 930

Resolved, That there shall be printed an additional twelve thousand copies of House Document Numbered 96 of the Eighty-sixth Congress in the style and format directed by

the Joint Committee on Printing. All of such copies shall be for the use of the House of Representatives.

The SPEAKER. The gentleman from Ohio is recognized for 1 hour.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I yield to the distinguished minority leader.

Mr. GERALD R. FORD. Would the gentleman from Ohio indicate what is involved in this resolution?

Mr. HAYS. The resolution came from the Committee on House Administration unanimously. It has been cleared with the ranking Member on the other side.

This particular resolution is to reprint 12,000 copies of Washington's Farewell Address, for use of the Members of the House.

Mr. GERALD R. FORD. Mr. Speaker, I withdraw my reservation.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

TO AUTHORIZE PRINTING OF HEARINGS OF THE COMMITTEE ON PUBLIC WORKS ENTITLED "RELATIONSHIP OF TOLL FACILITIES TO THE FEDERAL AID HIGHWAY PROGRAM"

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 966 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 966

Resolved, That there be printed, concurrently with the initial printing of the hearings of the Special Subcommittee on the Federal Aid Highway Program and the Subcommittee on Roads of the Committee on Public Works entitled "Relationship of Toll Facilities to the Federal Aid Highway Program", seven hundred additional copies for the use of said committee.

The resolution was agreed to.

A motion to reconsider was laid on the table.

TO AUTHORIZE PRINTING OF PART III OF THE HEARINGS OF THE SUBCOMMITTEE ON INTERGOVERNMENTAL RELATIONS OF THE COMMITTEE ON GOVERNMENT OPERATIONS ENTITLED "DRUG SAFETY"

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 971 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 971

Resolved, That there be printed, concurrently with the initial printing of part III of the hearings of the Subcommittee on Intergovernmental Relations of the Committee on Government Operations entitled "Drug Safety", one thousand additional copies for the use of said committee.

The resolution was agreed to.

A motion to reconsider was laid on the table.

REQUEST TO TRANSFER CONSENT CALENDAR AND SUSPENSIONS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the call of the Consent Calendar and the consideration of motions to suspend the rules in order for Monday, September 5, 1966, may be transferred to Tuesday, September 6, 1966.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. GROSS. Mr. Speaker, reserving the right to object, I wonder if we might have some idea of the bills to be put on the Suspension Calendar. We know what the Consent Calendar bill will be.

Mr. ALBERT. Mr. Speaker, if the gentleman will yield, I do not have a list of requests. In fact, I do not think I have a request on my desk yet. The Speaker, of course, will get the requests first, and it is the Speaker's prerogative to recognize Members for suspension of the rules. I cannot answer the gentleman's question. The only reason why we are asking for this is to enable us to take off on Labor Day.

Mr. GROSS. I understand. I understand perfectly the reason for the request. However, I would still like, if it is possible under the parliamentary situation, to obtain a list of bills that it is proposed to bring up under suspension.

Mr. ALBERT. Of course I am not in a position to give a list to the gentleman. If I tried to do so I would be encroaching on the Speaker's prerogatives. We will put the list on the whip notice of course.

Mr. GROSS. Will the gentleman not divide his unanimous-consent request; and renew the request later in the week with respect to suspensions?

Mr. ALBERT. I will renew the request later in the week, I will say to the gentleman, but as far as the Consent Calendar is concerned and the suspension of the rules, they have historically come on the same legislative day.

Mr. GROSS. I understand that, Mr. Speaker. I will say to the distinguished majority leader, but I wish that he would divide his request at this time.

Mr. ALBERT. If the gentleman will yield, the gentleman does not want the majority leader to agree to any proposition that would in any way impair the prerogatives of the Speaker of the House, does he?

Mr. GROSS. Nor do I want the distinguished majority leader to impair my right to knowledge of the business to be transacted by the House. If it is possible to get that information, I will say to the gentleman, I would like to have it.

Mr. ALBERT. It is not possible at this time, I will say to the gentleman.

Mr. GROSS. Would the gentleman not make his unanimous-consent request with respect to the Consent Calendar, and then withhold his unanimous-consent request with respect to the suspensions?

Mr. ALBERT. I am sorry. There would be little point in calling the Consent Calendar unless we could also dispose of bills under the suspension of the rules. What we are trying to do is to adjourn over until after Labor Day.

Mr. GROSS. Does the gentleman mean to say that the bills on the Consent Calendar will be called and all of them would be privileged to be called under suspension if objected to?

Mr. ALBERT. Well, of course, that would be one thing, but I would not feel I should make a request to separate the two, let me say. Not at this time.

Mr. GROSS. Then, Mr. Speaker, not at this time can I grant unanimous consent to the request of the gentleman, and therefore I object.

The SPEAKER. Objection is heard.

FAIR LABOR STANDARDS ACT OF 1938

Mr. POWELL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 13712) to amend the Fair Labor Standards Act of 1938 to extend its protection to additional employees, to raise the minimum wage, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments and agree to the conference requested by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from New York?

The Chair hears none, and appoints the following conferees: Messrs. POWELL, HOLLAND, O'HARA of Michigan, DENT, PUCINSKI, DANIELS, AYRES, BELL, and GOOD-ELL.

TO AMEND THE CONSOLIDATED FARMERS HOME ADMINISTRATION ACT OF 1961

Mr. POAGE. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill (H.R. 15951) to amend the Consolidated Farmers Home Administration Act of 1961 to authorize loans by the Secretary of Agriculture on leasehold interests in Hawaii, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. POAGE]?

Mr. HALL. Mr. Speaker, reserving the right to object, I would like to know if this establishes a precedent that might be used in other States of the Union insofar as land on which such loans can be made that are not owned outright by the individual?

Mr. POAGE. Mr. Speaker, will the gentleman yield?

Mr. HALL. Of course I am delighted to yield to the gentleman from Texas.

Mr. POAGE. Mr. Speaker, I believe it

is fair to say that this does not establish a new precedent. Actually, Mr. Speaker, the Veterans' Administration and the Federal Housing Authority are both doing this in Hawaii now. But I would want to follow that by saying to the gentleman from Missouri that the Committee on Agriculture did not feel that it is a good policy, and that is the reason for our proceeding in this manner.

Mr. Speaker, if the gentleman will read the first four lines of the committee amendment, the gentleman will find that that is the purpose of that language. We felt it was not a good policy. That is why we provide that this authority should exist for only for the period commencing with the date of enactment of this bill and ending on June 30, 1968.

Now, Mr. Speaker, the purpose for that limitation is that these loans will be made during the next year and a half during which time it is anticipated that a particular piece of land will be sold under these terms as being made available by the Kaiser interests for settlement of a number of farmers. We cannot hold the option on this property any longer than the first of the month. That is the reason we are working with them in an effort to bring this up at this time. It is what we conceive to be a very advantageous contract, and the terms of it will expire the first of the month unless we accept the option by that date.

Mr. HALL. Mr. Speaker, the gentleman from Texas in his response has answered, in advance, some of my questions which I had in mind propounding under my reservation. However, I would like to know further, Mr. Speaker, if Mr. Kaiser is being reimbursed for these lands that he is making available?

Mr. Speaker, as I understand it, in talking with the distinguished Representative from Hawaii this is for a 75-year period. Is he being reimbursed for this leasehold?

Mr. POAGE. Mr. Speaker, if the gentleman will yield further; yes, we are buying the land from Mr. Kaiser; but at what is conceived to be a much lower price than its present value. We are buying the leasehold interest which he holds, which I understand is for a period of 55 years.

Mr. HALL. Mr. Speaker, I understand further that this applies only to the island of Oahu in the great State of Hawaii?

Mr. POAGE. Mr. Speaker, if the gentleman from Missouri will yield further, that is correct so far as this option is concerned.

Mr. HALL. Mr. Speaker, are these applicants who have been doing such a good job of farming, as I understand it from discussing it with the gentleman from Hawaii, being asked, in addition to the three stipulations which appear on page 1 of the report—and I have read all of the report, including the unfavorable departmental report—under the paragraph entitled "Purpose," of the report being asked to establish actual collateral for the loan?

Mr. POAGE. Mr. Speaker, if the gentleman will yield further; yes, they definitely are. Of course, the purpose of this is to allow the 55-year lease which is worth considerably more than the

amount they are paying to be used as collateral. I mean by that that the lease on the property is worth considerably more than the amount they are paying for it.

Mr. GROSS. Mr. Speaker, will the gentleman from Missouri yield to me?

Mr. HALL. Of course, I am pleased to yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I am unclear as to the collateral that the potential borrower is able to offer, since he has no fixed interest in the land.

Mr. POAGE. He has a 55 year lease on the land and we are by this act providing that the Farmers Home Administration may accept this lease just the same as they could accept a freehold interest in other parts of the country.

Now historically we have not allowed the Farmers Home Administration to make a loan unless the proposed borrower could offer a freehold interest. We have not allowed them to make these purchase loans where there was less than a freehold interest. This bill allows them to make, under these limited circumstances, loans on less than a freehold interest. But the same provision of existing law which relates to the appraisal of the land relates to loans made under this bill. There is no change in the method of appraising the property. There is no change in the requirement that the property be of value sufficient to pay off the loan. Those things will all be just the same as they are now. You understand a 55-year lease in the State of Hawaii is probably worth a great deal more than a freehold interest in many of the other States.

Mr. GROSS. Are the leases transferable?

Mr. POAGE. Yes, sir.

Mr. HALL. Mr. Speaker, in view of the statement by the gentleman from Texas as to the collateral and the lack of precedent, and particularly as to the committee amendment I withdraw my reservation of objection.

Mr. MATSUNAGA. Mr. Speaker, I rise in support of H.R. 15951, a bill which I introduced to extend the loan provisions of the Consolidated Farmers Home Administration Act to leasehold farmers in Hawaii. Before I speak about the bill, however, I wish to thank the Speaker, the chairman [Mr. COOLEY], and vice chairman of the Committee on Agriculture [Mr. POAGE], the members of that committee on both sides of the aisle for making the immediate consideration of my bill possible.

Under a land-tenure system peculiar to Hawaii, there is virtually no farmland in the State available for purchase in fee simple. For generations, most of the farmland in Hawaii has been held under an entailed status which permits its transfer only on a lease basis. Many of these leases run for 99 or 55 years. The Consolidated Farmers Home Administration Act of 1961 authorizes real estate loans only to owners or prospective owners of farmlands in fee. Therefore, for all practical purposes, Hawaii is barred from participation in the real estate loan provisions of this law.

The purpose of H.R. 15951, with the committee amendment, is to authorize, for a temporary period of 2 years, the making of farm improvement loans under subtitle A of the Consolidated Farmers Home Administration Act of 1961 to lessee-operators of farmland in Hawaii where, first, the land cannot be acquired by the applicant; second, adequate security is provided for the loans; and, third, there is a reasonable probability of accomplishing the objectives and repayment of the loan.

This legislation, if enacted in time, would benefit the operators of a number of family farms, which have largely disappeared as the result of the growing urbanization of Oahu, the island on which the State capital of Honolulu and most of our Army, Navy, and Air Force installations in Hawaii are located. In particular, there is a group of truck farmers who will soon be displaced from the area known as Koko Head, now an easterly suburb of the city of Honolulu. Most of these farmers have engaged in truck farming in the area for many years, some for as long as a quarter of a century. As the result of several years of negotiations, a very desirable farm tract in the same general area has been offered as leaseholds to this group by a private development corporation. The farmers mistakenly had thought that they would be able to finance their share of the development costs by means of loans under the Farmers Home Administration Act, when they entered into a contract with the prospective lessor. After being granted several extensions by the development corporation to exercise their option to accept the leasehold offer, the farmers have been granted a final extension date of September 30, 1966. They cannot do this unless they are able to come up with their share of the improvement costs, and they cannot meet this financial requirement without obtaining loans from the Farmers Home Administration.

These farmers have been supplying much of the fresh vegetable requirements of the military as well as the civilian population on Oahu. The experience of the military is such that the production of fresh vegetables in Hawaii should not remain at present levels, which are considered to be inadequate, but ought to be increased substantially. This can be accomplished by increasing the acreage devoted to truck farming and improving present methods of production. Above all, it is vital that farmers be encouraged to remain farmers. This is what my bill proposes to do.

Mr. Speaker, S. 112, a bill similar to the measure now on the floor, was passed by the Senate on June 15, 1966. Because of the emergency with which an important segment of our farmer population is faced, I earnestly request unanimous support.

Mrs. MINK. Mr. Speaker, I want to express to my colleagues the importance of the bill now pending before the House, H.R. 15951, and urge their support of this legislation of such significance to Hawaii.

The farmer in Hawaii is faced with a situation I believe is not similar to that in any other State in the Union, and that lies in the difficulty of acquiring ownership of land. The history of land tenure in Hawaii has reflected the scarcity of real estate on an insular body, and the would-be purchaser of land today finds that there is virtually none available for fee simple purchase at any price. Consequently, many of our citizens who have gravitated from labor positions in the cane fields and similar work in the hope of becoming independent farmers have found that the only recourse open to them is to lease small plots of ground from landowning interests. In itself, this is not the major problem since many of these tenant farmers have been able to obtain long-term leases.

Their problem arises in attempting to obtain loans for development of the land they are leasing. The provisions of the Consolidated Farmers Home Administration Act of 1961 authorize the Secretary of Agriculture to provide farm development loans to individuals who own their land or can expect to in the future, but these terms, passed to provide assistance to the small family farmer, are of no help to the small farmer in Hawaii, bound as he is to be perpetually a leasehold farmer.

The bill under consideration, H.R. 15951, would extend the same benefits of the Consolidated Farmers Home Administration Act to Hawaii farmers that are enjoyed by farmers in other States who find it possible to obtain ownership of their land. Abuses will be prevented by the provisions in the bill which require the leaseholder to provide adequate security for the loan, to demonstrate a reasonable probability of accomplishing the objectives of the loan and of repaying same, in cases where the Secretary determines that the land in question is indeed unavailable for purchase by the applicant. There are specific instances in my State, Mr. Speaker, in which leasehold farmers have been allowed access to land in new development areas provided that they can find loan money to make improvements to that land, and the Farmers Home Administration Act, as amended by H.R. 15951, is virtually their only hope.

I urge passage of this legislation today because of the unique land conditions in my State, and I sincerely hope that the House will see the justice in making it possible for small farmers in Hawaii to develop and improve their land under the same Federal program which benefits agriculture in the other 49 States.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. POAGE]?

There was no objection.

The Clerk read the bill, as follows:

H.R. 15951

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 343 of the Consolidated Farmers Home Administration Act of 1961, as amended (7 U.S.C. 1991), is amended by striking the word "and" before the figure "(2)" in said section

and by striking the period at the end thereof and inserting a comma and the following: "and (3) the term 'owner-operator' shall in the State of Hawaii include the lessee-operator of real property in any case in which the Secretary determines that the land cannot be acquired in fee simple by the applicant, adequate security is provided for the loan, and there is a reasonable probability of accomplishing the objectives and repayment of the loan: *Provided*, That item (3) shall be applicable to lessee-operators of Hawaiian Homes Commission lands only when and to the extent that it is possible for such lessee-operators to meet the conditions therein set out."

With the following committee amendment:

On page 1, line 3, after the word "That", insert: "only for the period of time commencing with the date of enactment of this Act and ending on June 30, 1968".

The committee amendment was agreed to. The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. POAGE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 112) to amend the Consolidated Farmers Home Administration Act of 1961 to authorize loans by the Secretary of Agriculture on leasehold interests in Hawaii, and for other purposes.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. POAGE]?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 112

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 343 of the Consolidated Farmers Home Administration Act of 1961, as amended (7 U.S.C. 1991), is amended by striking the word "and" before the figure "(2)" in said section and by striking the period at the end thereof and inserting a comma and the following: "and (3) the term 'owner-operator' shall in the State of Hawaii include the lessee-operator of real property in any case in which the Secretary determines that the land cannot be acquired by the applicant, adequate security is provided for the loan, and there is a reasonable probability of accomplishing the objectives and repayment of the loan: *Provided*, That item (3) shall be applicable to lessee-operators of Hawaiian Homes Commission lands only when and to the extent that it is possible for such lessee-operators to meet the conditions therein set out."

AMENDMENT OFFERED BY MR. POAGE

Mr. POAGE. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. POAGE: Strike out all after the enacting clause of the bill, S. 112, and insert the provisions of the bill, H.R. 15951, as passed.

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

A similar House bill, H.R. 15951, was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that all Members who may desire to do so many have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CORRECTION OF ROLL CALL

Mr. PATTEN. Mr. Speaker, on roll-call No. 247 on August 29, 1966 I am not recorded as being present. I was present and answered to my name. I ask unanimous consent that the permanent RECORD and Journal be corrected accordingly.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CONGRESSMAN POWELL, NOT ADMINISTRATOR SHRIVER, SHOULD RESIGN

(Mr. HAYS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HAYS. Mr. Speaker, I informed the gentleman from New York [Mr. POWELL] that I wanted to speak about his request that Mr. Shriver quit as head of the OEO, and he chose not to remain, which is all right with me.

I do not know much about the OEO, but I do know that Mr. Shriver made a terrific Director of the Peace Corps, and if he is having his problems with OEO, I suggest that it might be because he has Mr. POWELL looking over his shoulder trying to call the shots, telling him whom to employ, what percentage of what minority group to employ, what projects to fund, of what projects Mr. POWELL wants exclusive jurisdiction, and so on. I say that that would put a burden on any administrator.

I say that Mr. Shriver is an outstanding administrator. I am sure he is not going to take Mr. POWELL's advice any more than Mr. POWELL is going to take mine, but I suggest that it would be far better for the country if Mr. POWELL would resign.

(Mr. DULSKI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

[Mr. DULSKI addressed the House. His remarks will appear hereafter in the Appendix.]

CORRECTION OF VOTE

Mr. ICHORD. Mr. Speaker, on roll-call No. 232, on August 18, I am recorded as not voting. I was present and voted "yea." I ask unanimous consent that the permanent RECORD and Journal be corrected accordingly.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

SOUTH DAKOTA LEGIONNAIRES WIN TRIPLE HONORS

(Mr. REIFEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. REIFEL. Mr. Speaker, I should like to pay tribute to the South Dakota Department of the American Legion on its exceptional showing in this week's National Legion Convention.

The department's float, a large replica of Mount Rushmore National Memorial, won first place in parade competition. It also called attention to South Dakota as the birthplace of American Legion baseball over 40 years ago.

The Sioux Falls American Legion Chorus and the Women's Auxiliary Chorus both won national championships in choral competition. This is the third national championship in a row for the auxiliary unit and fifth for the singing Legionnaires.

Mr. Speaker, it gives me a great deal of pleasure to represent the American Legion post with the finest singers in the land and the department that founded the Legion baseball program.

I congratulate Department Commander Bob Grabenbauer, of Aberdeen, District Commander Roland Wick, Albert DeGroot, commander of Sioux Falls American Legion Post No. 15, Dr. Lee Bright, director of the Singing Legionnaires, Prof. Earl Mundt, director of the Auxiliary Chorus, and all the Legionnaires and auxiliary members who made possible these achievements.

POLITICAL USE OF THE FILM "JOHN F. KENNEDY—YEARS OF LIGHTNING, DAY OF DRUMS"

(Mr. DAVIS of Wisconsin asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DAVIS of Wisconsin. Mr. Speaker, when House Concurrent Resolution 285 and its revised companion Senate Joint Resolution 106 were before the House for consideration, we were given solemn assurances that the USIA produced film "John F. Kennedy—Years of Lightning, Day of Drums" would not be shown within the United States for partisan or political purposes.

I was not among those who could wholeheartedly accept those assurances, and apparently my skepticism was all too well founded.

I hold in my hand, Mr. Speaker, from the Milwaukee Journal of Sunday, August 28, the clipping of an article entitled "Buckley Club To Show Film About Kennedy." The article then reads as follows:

The documentary film "Years of Lightning, Day of Drums" on the Presidential years of John F. Kennedy will be shown at 8 p.m. Sept. 28 at the Capitol Court Theater by the Buckley for Congress Club.

DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE
WASHINGTON, D. C. 20250
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HIGHLIGHTS: Senate adopted conference report on foreign aid authorization bill.
House agreed to conference report on labor standards bill. House debated interest-rates control bill.

HOUSE

1. LABOR STANDARDS. Agreed to, 259-89, the conference report on H. R. 13712, to amend the Fair Labor Standards Act so as to increase the minimum wage, extend the Act to various additional groups including agricultural workers, and strengthen the overtime-work provisions. pp. 21029-37
2. INTEREST RATES. Began debate on H. R. 14026, to impose ceilings on rates of interest payable on time deposits in insured banks. pp. 21042-76, 21078-80

3. BUDGETING. Rep. Halpern spoke in favor of his bill to provide for a Joint Committee on the Budget. p. 21087
4. POVERTY. Rep. Brademas inserted Sargent Shriver's speech, "Why We Need the War on Poverty." pp. 21098-102
5. LEGISLATIVE PROGRAM. Rep. Boggs announced an intention to complete the interest-rates bill and the sea-grant college bill today, then adjourn until Mon. p. 21069

SENATE

6. FOREIGN AID. Agreed to the conference report on H. R. 15750, the foreign aid authorization bill. This bill will now be sent to the President. pp. 21019-26
7. LOANS. Concurred in the House amendment to S. 112, to authorize the Secretary of Agriculture to make real estate mortgage loans on leased lands in Hawaii. This bill will now be sent to the President. p. 20987
8. SALINE WATER. Concurred in the House amendment to S. 2747, to authorize conclusion of an agreement with Mexico for joint measures for solution of the Lower Rio Grande salinity problem. This bill will now be sent to the President. p. 20988
9. RECLAMATION. Agreed to the conference report on S. 254, to authorize the Tualatin Federal reclamation project, Oreg. This bill will now be sent to the President. pp. 21017-19
10. SCHOOL MILK. Sen. Proxmire expressed his intention to "fight for additional funds for the milk program in a supplemental appropriation bill." p. 20983
11. PARK SERVICE. Sen. Tower inserted a proclamation paying tribute to the National Park Service on its 50th anniversary. p. 21000
12. FARM POLICY. Sen. McGovern inserted an article critical of the world farm policy, a letter from Secretary Freeman stating that the article "presents a faulty impression of the food situation in this country and the world," and Sen. McGovern's letter on this subject. pp. 21000-2
13. INTERGOVERNMENTAL RELATIONS. Sen. Kennedy, Mass., urged early hearings on his bill to authorize a study and investigation of an information service system for the States and localities to enable participation in federally assisted programs and inserted a paper on the subject prepared by Willard Fazar of the Budget Bureau. pp. 21003-8
14. PESTICIDES. Sen. Nelson commended and inserted an article, "If Pesticide Use Goes Unchecked, Game May Be Too Scarce To Hunt Or Unsafe To Eat." pp. 21008-11

ITEMS IN APPENDIX

15. LABELING. Rep. Cunningham inserted testimony presented in opposition to the proposed truth-in-packaging legislation. pp. A4684-6
16. RESEARCH; EDUCATION. Rep. Reuss inserted an article, "Problems Involved In Cooperation Between Universities and Government Agencies." pp. A4687-9

time. The minimum written test score required to qualify for military service during periods of war or a national emergency declared by the Congress is specified under the law as a percentile score of 10 on the Armed Forces Qualification Test. This score is roughly equivalent to a 5th grade level of educational achievement. The standards currently in effect require that those individuals receiving relatively low scores on this test, between the 10th and 31st percentiles, generally meet certain additional aptitude test standards. The effect of these standards, and of our medical and moral fitness standards for service, is to disqualify about 640,000 men in the age class currently reaching draft age, including about 250,000 who are unfit solely because of failure on our written tests.

In the current fiscal year our plan is to qualify about 40,000 of this 640,000 group of potential rejectees, by reducing certain of the supplementary aptitude test requirements. Those who will become qualified under the revised standards will still have to receive a score of 10 on the Armed Forces Qualification Test and will have to establish their qualifications in one or two aptitude areas on the supplementary aptitude tests. These individuals will be accepted because we now have the training capability to assure that they can qualify as fully proficient servicemen. Our longer range plan beginning in Fiscal Year 1968 is to qualify up to 100,000 men per year among those who receive scores of 10 or higher on the AFQT or who have minor physical defects.

It is evident that our program can only serve to qualify a limited proportion of the population of youths currently being rejected for military service. Under the planned program for Fiscal Year 1967 over 200,000 of all 19-year-old men would still be disqualified for service due to failure on our written tests. Among all men in the age group 16-21 years, inclusive, nearly 1.2 million would fail to meet these standards. Included among this group are men whose educational deficiencies are so severe that we could not reasonably count on bringing them up to an acceptable level of performance even with our present training procedures. These are the young men who can be most benefited by the special educational and training programs offered in the Job Corps. They are the very youths who, without assistance, would perpetuate the vicious cycle of poverty in this country for an additional generation.

The Job Corps has already demonstrated that it can make a major contribution in the upgrading of these youths for military service as well as for productive work careers. Over one-fourth of Job Corps graduates have been enrolled in military service.

There are certain other obvious contrasts between the population of youth being assisted under the Job Corps program and those who will become qualified for military service under our planned revision in standards:

The Job Corps enrolls youths beginning at age 16; 78 percent of those in the program in June 1966 enrolled in the ages 16-18, inclusive. The minimum age of involuntary induction is currently age 19.

The average reading ability of recent Job Corps enrollees was reported at the 4th grade level. In contrast, the minimum passing score of 10 under the Armed Forces Qualification Test corresponds to a 5th grade educational achievement; all but a small percentage of those who will be qualified under our revised standards will score better than this minimum level.

The planned revision in qualification standards for military service will apply only to men; standards for enlistment of women are at a substantially higher level. The Job Corps enrolls women as well as men and at comparably lower levels.

In view of the above facts, it is clear that the Job Corps is absolutely essential to provide a stepping stone to a productive work career to the many tens of thousands of young men in our country who need this assistance. I think it would be a great error if the announcement of the new Department of Defense program were to result in any reduction in the Administration's request for support of the Job Corps.

Sincerely,

ROBERT S. McNAMARA.

AUTHORIZATION OF LOANS BY THE SECRETARY OF AGRICULTURE ON LEASEHOLD INTERESTS IN HAWAII

Mr. TALMADGE. Mr. President, I ask that the Chair lay before the Senate the amendment of the House of Representatives to S. 112.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 112) to amend the Consolidated Farmers Home Administration Act of 1961 to authorize loans by the Secretary of Agriculture on leasehold interests in Hawaii, and for other purposes which was, to strike out all after the enacting clause and insert:

That only for the period of time commencing with the date of enactment of this Act and ending on June 30, 1968, section 343 of the Consolidated Farmers Home Administration Act of 1961, as amended (7 U.S.C. 1991), is amended by striking the word "and" before the figure "(2)" in said section and by striking the period at the end thereof and inserting a comma and the following: "and (3) the term 'owner-operator' shall in the State of Hawaii include the lessee-operator of real property in any case in which the Secretary determines that the land cannot be acquired in fee simple by the applicant, adequate security is provided for the loan, and there is a reasonable probability of accomplishing the objectives and repayment of the loan: *Provided*, That item (3) shall be applicable to lessee-operators of Hawaiian Homes Commission lands only when and to the extent that it is possible for such lessee-operators to meet the conditions therein set out."

Mr. TALMADGE. Mr. President, on August 30 the House amended S. 112, which authorizes loans on leased lands in Hawaii, in two respects. The first change would limit the effect of the bill to the period ending June 30, 1968. The second change, which adds the words "in fee simple," is not a substantive change.

I move that the Senate concur in the House amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Georgia that the Senate concur in the House amendment.

The motion was agreed to.

TRIBUTE ON RETIREMENT TO LT. GEN. WILLIAM J. ELY, CORPS OF ENGINEERS, U.S. ARMY

Mr. KUCHEL. Mr. President, I wish to salute a gallant and able Army officer as he retires after a third of a century of duty with the Corps of Engineers. Lt. Gen. William J. Ely has gained great stature all across this country, and those of us who live in the State of California know of the excellent achievements in which he has been in the forefront in

the work of the Corps of Engineers. His retirement is a cause for deep and widespread regret that the passage of time deprives our Nation of leadership and imagination which this outstanding officer injected into research and engineering efforts so intimately related to American security and defense capability.

After more than 33 years in the Corps of Engineers, General Ely has earned the privilege of civilian life following duty overseas and at home which demonstrated versatility and great competence. His record as an administrator is enviable and will be a source of inspiration to all who follow in his footsteps.

For his significant contributions, particularly in his last post as deputy director of Defense Research and Engineering, this outstanding officer was awarded the Distinguished Service Medal as directed by President Johnson and honored at a retreat review at Fort Myer.

Because of the important role he played in carrying on technological programs and the varied experience, including a brilliant tour of duty in my State of California, which followed his commissioning at West Point in 1933, I ask unanimous consent that the citation and a biographical sketch be printed in the RECORD as a portion of my remarks, so that all Americans may be acquainted with General Ely's earnest and valued services.

There being no objection, the citation and the biographical sketch were ordered to be printed in the RECORD, as follows:

The President of the United States of America, authorized by Act of Congress, July 9, 1918, has awarded the Distinguished Service Medal to Lieutenant General William J. Ely, U.S.A., for exceptionally meritorious service in positions of great responsibility:

Lieutenant General William J. Ely served with exceptional distinction in positions of great responsibility from March 1956 to July 1966. These were important years of service to the Army. Their importance lies in the significant technological developments that were made during this period, and General Ely's profound contribution to the Army's research and development effort. Early in this period as Deputy Director, J-4 Division, United States European Command, General Ely displayed high technical ability and sound judgment in directing plans for procurement, construction and use of facilities. Later, as Director of Army Research, his singular awareness of modern technology and its influence on warfare was evident in his dynamic direction of the Army's research efforts and the activities of the Army Research Office. He organized conferences which brought together leaders in science, industry, and the Army, to the mutual benefit of all concerned and the nation. General Ely later became Deputy Commanding General of the newly organized Army Materiel Command. In this demanding position he met the challenge of diverse and complex problems in a truly professional manner, directing the establishment of a strong, responsive organization to meet the Army's logistical needs. General Ely climaxed his brilliant career by serving as Deputy Director for Defense Research and Engineering (Administration and Management), Department of Defense. He was responsible for the guidance and administration within the Department of Defense on matters relating to engineering management, technical information, and plans and policies relative to research and development test and evaluation. General Ely developed procedures for the selec-

tion, training, and utilization of scientists, both military and civilian, and was particularly active in seeking retention of qualified military scientists. Significant management policies that evolved under his leadership include those relating to management of major systems, proposal evaluation and source selection, and contract definition. He was instrumental in establishing the Defense Weapons Systems Management Center. A grateful nation recognizes that General Ely's professional ability and his distinguished service for over 33 years continue the finest military traditions and reflect the highest credit upon himself and the United States Army.

Biographical Sketch, Lt. Gen.
WILLIAM J. ELY

LIEUTENANT GENERAL WILLIAM J. ELY was born in Sycamore, Pennsylvania, on 29 December 1911. He was graduated from high school in Claysville, Pennsylvania, in 1928 and attended Carnegie Institute of Technology for one year before entering the United States Military Academy. He graduated with the Class of 1933, receiving a commission in the Regular Army as a second lieutenant in the Corps of Engineers.

Following graduation, he had permanent duty stations at Memphis, Tennessee; Ithaca, New York; Fort Belvoir, Virginia; San Francisco, California; Midway Island; Honolulu, Hawaii; Fort Ord, California; and Washington, D.C., until February 1943. During this period, his duty assignments included civil works construction, military construction, troop duty, and schooling at Fort Belvoir and Cornell University. He was married to Helen Mountford in 1940.

General Ely was assigned to the Sixth Army Headquarters in February 1943, serving with that headquarters throughout the war in the Pacific, with duty in Australia, New Guinea, Philippine Islands, and Japan. He returned to the United States in December 1945.

After a few months in the Office of the Chief of Engineers in 1946, he was assigned to the faculty of the Armed Forces Staff College in Norfolk, Virginia, as an instructor in the Logistics Division. He was reassigned to the Joint Logistics Plans Group, Joint Chiefs of Staff, in July 1949, serving there until October 1951.

General Ely then started a two-year tour as Chief of Military Construction in the Office of the Chief of Engineers in Washington, D.C. From July 1953 to January 1956, he was District Engineer of the Corps of Engineers in Sacramento, California, supervising large civil and military construction and real estate programs.

In January 1956, he reported to Headquarters, United States European Command, assuming duties as Deputy Director, J-4. He became Director of Army Research in November 1959 and Deputy Commanding General of the United States Army Materiel Command in Washington, D.C., in May 1962.

General Ely was named Deputy Director of Defense Research and Engineering (Administration and Management) in July 1963, the position from which he retires.

DECORATIONS AND AWARDS

Silver Star Medal
Legion of Merit with one Oak Leaf Cluster
Bronze Star Medal
World War II Victory Medal
American Theater Ribbon
American Defense Medal
Asiatic-Pacific Theater Ribbon
Philippine Liberation Ribbon
Army of Occupation Medal (Japan)
National Defense Service Medal

AGREEMENT WITH MEXICO ON
JOINT MEASURES FOR SOLUTION
OF LOWER RIO GRANDE
SALINITY PROBLEM

Mr. SPARKMAN. Mr. President, I ask that there be laid before the Senate the

amendments of the House of Representatives to the bill (S. 2747) to authorize conclusion of an agreement with Mexico for joint measures for solution of the Lower Rio Grande salinity problem.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 2747) to authorize conclusion of an agreement with Mexico for joint measures for solution of the Lower Rio Grande salinity problem which was, to strike out all after the enacting clause and insert:

That the Secretary of State, acting through the United States Commissioner, International Boundary and Water Commission, United States and Mexico, is authorized, notwithstanding any other provision of law and subject to the conditions provided in this Act, to conclude an agreement or agreements with the appropriate official or officials of the Government of the United Mexican States for the construction, operation, and maintenance by the United Mexican States under the supervision of the International Boundary and Water Commission, United States and Mexico, of a drainage conveyance canal through Mexican territory for the discharge of waters of El Morillo and other drains in the United Mexican States into the Gulf of Mexico in the manner, and having substantially the characteristics, described in said Commission's minute numbered 228, dated November 30, 1965. The agreement or agreements shall provide that the costs of construction, including costs of design and right-of-way, and the costs of operation and maintenance, shall be equally divided between the United Mexican States and the United States. Before concluding the agreement or agreements, the Secretary of State shall receive satisfactory assurances from private citizens or a responsible local group that they or it will pay the United States Treasury one-half of the actual United States costs of such construction, including costs of design and right-of-way, and one-half of the actual costs of operation and maintenance allocated under such agreement or agreements to the United States. Payments to the United States Treasury under this section shall be covered into the Treasury as miscellaneous receipts.

Sec. 2. To defray costs that accrue to the United States under the agreement or agreements referred to in the first section of this Act for the construction, operation, and maintenance of drainage conveyance canal projects, there are authorized to be appropriated to the Department of State for use of the United States Section, International Boundary and Water Commission, United States and Mexico, the following amounts:

(1) Not to exceed \$690,000 for costs of construction.

(2) Upon completion of construction, not to exceed \$20,000 annually for costs of operation and maintenance.

Mr. SPARKMAN. Mr. President, I move that the Senate concur in the amendments of the House of Representatives.

Mr. KUCHEL. Will the Senator indicate the substance of the amendment, please?

Mr. SPARKMAN. Yes. This bill was sponsored by the Senator from Texas [Mr. YARBOROUGH]. It was reported from the Committee on Foreign Relations, and was passed by the Senate without amendments.

The House amendments are shown in the attachment to the bill. Two of them are technical. The third replaces the open-end authorization with a specific authorization for appropriations of \$690,000 for the cost of construction of the drainage conveyance canal involved,

and \$20,000 annually thereafter for operation and maintenance. These figures are based on cost estimates submitted to the committee.

Mr. KUCHEL. I thank the Senator. The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Alabama.

The motion was agreed to.

THE PENDULUM SWINGS

Mr. ELLENDER. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial, entitled "Pendulum Swing," published in the New Orleans Times-Picayune of Monday morning, September 5, 1966.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PENDULUM SWING

It was only a few years ago the rest of the nation was demanding generally that the South be censured for racial discrimination which, it was claimed, spawned hatred which resulted in street violence.

Newspapers throughout the land editorialized, in effect, "Why doesn't the South grow up and assume its responsibilities as part of the land of the free?" Words such as "Southern bigotry" and "Southern prejudice" were in abundant use.

The surge of accusations seems to have subsided somewhat, as other segments of the country encounter troubles. Mississippi, Louisiana and Alabama no longer serve as scapegoats for criticism.

It is understandable, and perhaps right, that many Southerners feel they might be more sympathetic toward other strife-ridden areas had not those same areas been so adamant in their condemnation of Dixie.

Still, in a time of social unrest, there is no place for such bitterness. What is needed is a sense of togetherness in a nation facing a common problem; a type of "amnesia" in regard to geographic lines and past events.

COMMITTEE MEETING DURING
SENATE SESSION

Mr. PASTORE. Mr. President, on behalf of the majority leader, I ask unanimous consent that the Committee on Interior and Insular Affairs be permitted to meet during the session of the Senate today.

Mr. KUCHEL. Mr. President, objection has been raised on the minority side. I object.

The PRESIDING OFFICER. Objection is heard.

EXECUTIVE SESSION

Mr. PASTORE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of executive business, for action on nominations.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Rhode Island?

There being no objection, the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGE REFERRED

The PRESIDING OFFICER laid before the Senate a message from the President of the United States submitting a nomination, which was referred to the Committee on Foreign Relations.



Public Law 89-586
89th Congress, S. 112
September 19, 1966

An Act

80 STAT. 809

To amend the Consolidated Farmers Home Administration Act of 1961 to authorize loans by the Secretary of Agriculture on leasehold interests in Hawaii, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That only for the period of time commencing with the date of enactment of this Act and ending on June 30, 1968, section 343 of the Consolidated Farmers Home Administration Act of 1961, as amended (7 U.S.C. 1991), is amended by striking the word "and" before the figure "(2)" in said section and by striking the period at the end thereof and inserting a comma and the following: "and (3) the term 'owner-operator' shall in the State of Hawaii include the lessee-operator of real property in any case in which the Secretary determines that the land cannot be acquired in fee simple by the applicant, adequate security is provided for the loan, and there is a reasonable probability of accomplishing the objectives and repayment of the loan: *Provided*, That item (3) shall be applicable to lessee-operators of Hawaiian Homes Commission lands only when and to the extent that it is possible for such lessee-operators to meet the conditions therein set out."

Hawaii.
Farm real estate
loans on leased
lands.
76 Stat. 632.

Approved September 19, 1966.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 1856 accompanying H. R. 15951 (Comm. on Agriculture).

SENATE REPORT No. 1274 (Comm. on Agriculture & Forestry).
CONGRESSIONAL RECORD, Vol. 112 (1966):

June 15: Considered and passed Senate.

Aug. 30: Considered and passed House, amended, in lieu of H. R. 15951.

Sept. 7: Senate agreed to House amendment.

